

ORIGINAL

Decision No. 81410

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Investigation on the Commission's own motion into rules governing the construction and maintenance of crossing at grade of railroads with public streets, roads, and highways in the State of California.

Case No. 9454
(Filed October 17, 1972)

David E. Parry and Thomas I. McKnew, Attorneys at Law, for The Atchison, Topeka and Santa Fe Railway Company; Harold S. Lentz, Attorney at Law, for Southern Pacific Transportation Company; Richard W. Bridges, Attorney at Law, for Western Pacific Railroad, Sacramento Northern Railway, and Tidewater Southern Railway; Melvin R. Dykman, Attorney at Law, for State of California, Department of Public Works; Mark L. Kermet, for Contra Costa County; and William C. Sharp, Attorney at Law, for the City of Oakland, interested parties.
James J. Cherry, Attorney at Law, and K. G. Soderlund, for the Commission staff.

OPINION AND ORDER

On April 4, 1972 the Commission adopted General Order No. 72-A cancelling original General Order No. 72. The General Orders in the 72 series concern uniform standards for grade crossing construction.

On October 17, 1972 this investigation was instituted for the purpose of further amending the General Order, insofar as it relates to superelevation and to the maintenance of vertical alignment of grade crossings.

Public hearings were held in San Francisco on January 23 and March 5, 1973. At the hearing it became apparent that the matters at issue involved merely the wording of the Order rather

than matters of substance. During the second day of hearing a stipulation was arrived at for the amendment of Paragraph X of the Order.^{1/}

The stipulation was read into the record and circulated^{2/} to all appearances. No objection or request for further hearing having been entered, the stipulation is accepted. ✓

We find and conclude that General Order No. 72-A should be amended as set forth below.

IT IS ORDERED that:

1. General Order No. 72-A is amended to read as follows:
- X. Surface of Crossings:

At the time of construction the surface of the highway shall be installed to conform substantially to the plane of the rails for the entire area between rails and between tracks and to lines two (2) feet outside the rails. The alignment and profile of each grade crossing shall be substantially maintained as constructed.

Where crossings involve two or more tracks, the top of rails for all tracks shall be brought to the same plane where practicable. The surface of the highway shall be at the same plane as the top of rails for a distance of at least two feet outside of rails for either multiple or single-track crossings. The top of rail plane shall be connected with the grade line of the highway each way by vertical curves of such length as is required to provide riding conditions and sight distances normally applied to the highway under consideration.

Unless special conditions so require, such as curvature and/or train speeds, the rails of spur or secondary tracks shall not be substantially superelevated within the limits of the crossing.

1/ The original paragraph read:

"X. Surface of Crossings:

At the time of construction the surface of the highway shall be installed to conform substantially to the elevation of the rails for the entire area between rails and between tracks and to lines two (2) feet outside the rails."

2/ The circulation procedure was adopted to ensure notice to the city of Oakland and Contra Costa County, which entities were not present at the second day of hearing.

2. The Secretary of the Commission is directed to reissue the General Order, as amended, as General Order No. 72-B, to be included in the next publication of the Commission's General Orders by the State Printing Office.

The effective date of this order shall be thirty days after the date hereof.

Dated at San Francisco, California, this 12nd day of MAY, 1973.

Vernon L. Sturgeon
President
William J. Quous Jr.
[Signature]
[Signature]
[Signature]
Commissioners