

Decision No. 81453**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of the San Francisco Bay
Area Rapid Transit District for
authority to construct a pedestrian over-
crossing of the Southern Pacific Trans-
portation Company's main line between
71st and 73rd Avenues in the City of
Oakland, County of Alameda, State of
California.

Application No. 53763
(Filed December 21, 1972)

O P I N I O N

The Bay Area Rapid Transit District requests authority to construct a pedestrian crossing at separated grades over the main line tracks of the Southern Pacific Transportation Company in the City of Oakland, County of Alameda.

Applicant is a rapid transit district of the State of California, existing under Chapter 1056, Statutes of 1957, with a Board of Directors as the governing body. Applicant has the responsibility of construction and operation of a rapid transit system in the counties of Alameda and Contra Costa and in the City and County of San Francisco.

The verified application indicates that applicant proposes to cause to be constructed a pedestrian crossing at separated grades over the main line tracks of the Southern Pacific Transportation Company. The proposed overcrossing is to be part of a walkway that will carry pedestrian traffic between applicant's Coliseum rapid transit station and the Oakland-Alameda County Coliseum Complex. The proposed structure will consist of a deck 19' - 8" wide overall rising on a ramp at a maximum slope of 1.6% and will provide twenty-three (23) feet clearance above railroad's main line tracks. Protective railing will be provided on each side of the deck to a height of 8.25 feet and total enclosure of walkway, a distance of 130 feet, will be provided over railroad's tracks.

Agreement has been consummated between applicant, the County of Alameda, the City of Oakland, and Oakland-Alameda County Coliseum, Inc. for construction and maintenance expenses of the proposed structure.

The record indicates that copies of the application were served on Southern Pacific Transportation Company, the County of Alameda and the City of Oakland. Exceptions to the application were made by the Southern Pacific Transportation Company. However, changes were made to the satisfaction of both parties, the railroad and the transit district. The Commission makes the following findings and conclusion:

FINDINGS OF FACT

1. A public hearing is not necessary in this matter.
2. The applicant is the lead agency pursuant to the California Environmental Quality Act of 1970, as amended.
3. The public will benefit by reason of the construction of the pedestrian crossing at separated grades in that it will provide a safe and convenient means by which members of the public may cross over the Southern Pacific Transportation Company's main line tracks between applicant's Coliseum rapid transit station and the Oakland-Alameda County Coliseum Complex.
4. Applicant has the ability, including financial ability, to cause construction to be made of said structure for which authority is sought herein.

CONCLUSION OF LAW

The application should be granted.

O R D E R

IT IS ORDERED that:

1. The Bay Area Rapid Transit District is hereby authorized to construct a pedestrian crossing at separated grades over

the main line tracks of the Southern Pacific Transportation Company in the City of Oakland, County of Alameda, at the location and substantially as shown by plans and an agreement attached to the application, to be identified as the Coliseum Complex Pedestrian Overhead Crossing No. D-11.95-AD.

2. Clearances adjacent to the Southern Pacific Transportation Company's tracks shall be in accordance with General Order No. 26-D during and after the period of construction.

3. Construction and maintenance expense shall be borne in accordance with an agreement entered into between parties relative thereto, and a copy of said agreement, together with complete plans and specifications of said crossing structure shall be filed with the Commission within 180 days from the date hereof.

4. Within thirty days after completion pursuant to this order, applicant shall so advise the Commission in writing. This authorization shall expire if not exercised within two years unless time be extended, or if above conditions are not complied with. Authorization may be revoked or modified if public convenience, necessity or safety so require.

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

Dated at San Francisco, California, this 12th day of JUNE, 1973.

Vernon L. Spencer
President
William J. Lyons, Jr.
Alvin
Commissioners

Commissioner J. P. Vukasin, Jr., being necessarily absent, did not participate in the disposition of this proceeding.