

Decision No. 81538

**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the application of )  
the County of San Bernardino for an )  
order authorizing construction of an )  
overhead structure over the tracks of )  
the Atchison, Topeka and Santa Fe )  
Railway Company at MAIN STREET, )  
NO. 2-45.3 in the County of )  
San Bernardino. )

Application No. 53959  
(Filed April 11, 1973)

O P I N I O N

The County of San Bernardino requests authority to construct a crossing at separated grades of Main Street in the vicinity of Hesperia over the tracks of The Atchison, Topeka and Santa Fe Railway Company and also to construct a temporary detour crossing for use during construction of the overhead. Notice of the application was published in the Commission's Daily Calendar on April 13, 1973. No protests have been received. A public hearing is not necessary.

FINDINGS AND CONCLUSIONS

The request is in the public interest and should be granted. The County of San Bernardino should be authorized to construct Main Street at separated grades over the tracks of The Atchison, Topeka and Santa Fe Railway Company in the vicinity of Hesperia, San Bernardino County at the location and substantially as shown by plans (Exhibit B) attached to the application, to be identified as Crossing No. 2-45.3-A. Further, County of San Bernardino should be authorized to construct a temporary detour at-grade crossing at Walnut Street approximately 385 feet south of Main Street, to be identified as Crossing No. 2-45.37.

Width of the detour crossing should be not less than 28 feet and grades of approach not greater than three percent. Crossing construction should be equal or superior to Standard No. 2 (General Order No. 72-A). Protection should be by two Standard No. 9 gate signals (General Order No. 75-C).



Clearances at the Main Street Overhead should be in accordance with General Order No. 26-D. Walkway areas adjacent to the railroad track should be maintained free of obstructions and should promptly be restored to their original condition in the event of damage during construction. Clearances at the Walnut Street crossing, including any curbs, should conform to General Order No. 26-D. Walkways adjacent to the crossing should conform to General Order No. 118.

Construction and maintenance costs of the above crossings should be borne in accordance with an agreement to be entered into between the parties relative thereto and a copy of said agreement, together with plans of said crossings approved by The Atchison, Topeka and Santa Fe Railway Company, should be filed with the Commission prior to commencing construction. Should the parties fail to agree, the Commission will apportion the cost of construction and maintenance by further order.

Upon completion of the Main Street grade separation and its opening to the public, the temporary detour at Walnut Street (Crossing No. 2-45.37) should be closed and physically removed.

The applicant is the lead agency for this project pursuant to the California Environmental Quality Act of 1970, as amended, and on May 4, 1973, filed an approved Environmental Data Statement Negative Declaration.

O R D E R

1. The application is granted conditioned on the findings and conclusions set forth above.

2. 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 three 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 Los Angeles, California, this 26<sup>th</sup> day of JUNE, 1973.

  
President

  
  
Commissioners

Commissioner William Symons, Jr., being necessarily absent, did not participate in the disposition of this proceeding.

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