

ORIGINALDecision No. 82873

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of the State of California,
Department of Transportation, for an
order authorizing the widening of exist-
ing Public Utilities Commission crossing
at grade, Number 2-905.8, across the
tracks of The Atchison, Topeka and Santa
Fe Railway Company tracks and removal of
two southwesterly spur tracks, at Shafter
Avenue in the City of Shafter, Kern
County, in connection with the improve-
ment of State Highway 43 from south of
the City of Shafter to the City of Wasco.)

Application No. 54550
(Filed January 3, 1974)

O P I N I O N

The State of California Department of Transportation, acting on behalf of the City of Shafter pursuant to an agreement made between the department and the city on September 11, 1973, requests authority to widen Shafter Avenue across the tracks of The Atchison, Topeka and Santa Fe Railway Company in the City of Shafter, Kern County, Crossing No. 2-905.8, removing the two southwesterly spur tracks in Shafter Avenue and installing automatic gate protection. Notice of the application was published in the Commission's Daily Calendar on January 4, 1974. No protests have been received. A public hearing is not necessary.

F I N D I N G S

The request is in the public interest and should be granted. The State of California Department of Transportation should be authorized to widen Shafter Avenue at grade across the tracks of The Atchison, Topeka and Santa Fe Railway Company in the City of Shafter, Kern County, Crossing No. 2-905.8, and to

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remove the two southwesterly spur tracks in Shafter Avenue, at the location described in the application.

The width of the crossing should be not less than 48 feet and grades of approach as shown on the plans attached to the application.

Crossing construction of the widening should conform to the existing crossing construction for each track.

Protection should be two Standard No. 9A gates with cantilever signals (General Order 75-C).

Clearances, including any curbs, should conform to General Order No. 26-D. Walkways should conform to General Order No. 118.

Construction expense of the crossing should be shared between the parties in accordance with an agreement entered into between the parties or, if they fail to agree, by further order of the Commission. Installation expense of the automatic protection should be shared equally between the City of Shafter and the railroad.

Maintenance cost of the crossing outside of lines two feet outside of rails should be borne by the City of Shafter. The railroad should bear the maintenance costs of the crossing between such lines. Maintenance costs of the automatic protection should be divided equally between the City of Shafter and the railroad pursuant to the provisions of Section 1202.2 of the Public Utilities Code.

The applicant is the lead agency for this project pursuant to the California Environmental Quality Act of 1970, as amended, and has declared this project to be categorically exempt pursuant to Section 1510.1 of Chapter 2, Title 21 of the California Administrative Code. The Commission has considered said declaration of categorical exemption and finds the project exempt under Rule 17.1 (m) (1), (A) 5, 6, 7 and B2 of the Commission's Rules of Practice and Procedure.

CONCLUSIONS

On the basis of the foregoing findings, we conclude that the application should be granted as set forth in the following order:

O R D E R

IT IS ORDERED that:

1. The State of California Department of Transportation is authorized to widen Shafter Avenue at grade across the tracks of The Atchison, Topeka and Santa Fe Railway Company in the City of Shafter, Kern County, Crossing No. 2-905.8, and to remove the two southwesterly spur tracks in Shafter Avenue, at the location described in the application.
2. The width of the crossing shall be not less than 48 feet with grades of approach as shown on the plans attached to the application.
3. Crossing construction of the widening shall conform to the existing crossing construction for each track.
4. Protection shall be two Standard No. 9A gates with cantilever signals (General Order No. 75-C).
5. Clearances, including any curbs, shall conform to General Order No. 26-D. Walkways shall conform to General Order No. 118.
6. Construction expense of the crossing shall be borne in accordance with an agreement entered into between the parties, or, if they fail to agree, by further order of the Commission.
7. Installation expense of the automatic protection shall be borne equally between the City of Shafter and the railroad.
8. Maintenance cost of the crossing outside of lines two feet outside of rails shall be borne by the City of Shafter. The railroad shall bear the maintenance costs of the crossing

between such lines. Maintenance costs of the automatic protection shall be divided equally between the City of Shafter and the railroad, pursuant to the provisions of Sections 1202.2 of the Public Utilities Code.

9. Within thirty days after completion, pursuant to this order, applicant shall so advise the Commission in writing. This authorization shall expire if the project is not completed within two years or if the above conditions are not complied with. The time may be extended, or the 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 15th day of MAY, 1974.

President
William J. ...

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Commissioners

Commissioner Vernon L. Sturgeon, being necessarily absent, did not participate in the disposition of this proceeding.