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Decision No. 83054

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

APPLICATION OF THE ATCHISON, TOPEKA
AND SANTA FE RAILWAY COMPANY, a cor-
poration, for authority to construct,
maintain and operate an industrial
lead track and an industrial spur
track across Kimberly Avenue in the
City of Fullerton, County of Orange,
State of California.

Application No. 54909
(Filed May 28, 1974)

O P I N I O N

Applicant seeks an order of the Commission authorizing the construction, at grade, of an industrial lead track and spur track across Kimberly Avenue in the City of Fullerton, County of Orange.

Notice of the application was published in the Commission's calendar on May 30, 1974. No protest has been received. A public hearing is not necessary.

FINDINGS

1. Applicant should be authorized to construct an industrial lead track and spur track, at grade, across Kimberly Avenue at the location and in accordance with the plan set forth in the application to be identified as Crossing No. 2-167.63-C.
2. Construction and maintenance costs of the industrial lead track and spur track and installation of the automatic crossing protection should be borne by the applicant.
3. It is reasonably certain that the project involved in this proceeding will not have a significant effect on the environment.

CONCLUSIONS

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 Atchison, Topeka and Santa Fe Railway Company is authorized to construct, maintain, and operate across Kimberly Avenue in the City of Fullerton, County of Orange, an industrial lead track and spur track as set forth in its application and the attached print of Los Angeles Division Engineer's Drawing No. L-4-32821, dated January 23, 1974.
2. The crossing, to be identified as Crossing No. 2-167.63-C, shall be protected by the installation of two Standard No. 8B signals (General Order No. 75-C) however, the signal on the north side of Kimberly Avenue may be modified by mounting the crossing sign on the cantilever arm. Finished grades of approach shall be not greater than two percent. Crossing construction shall be equal or superior to Standard No. 2 (General Order No. 72-B).
3. Clearances, including any curbs, shall conform to General Order No. 26-D. Walkways adjacent to the crossing shall conform to General Order No. 118.
4. Construction costs of the crossing and installation of automatic protection shall be borne by the applicant.
5. Maintenance cost of the crossing within lines two feet outside of rails shall be borne by the applicant. Maintenance cost of the automatic protection shall be borne by the applicant.

Within thirty days after completion, pursuant to this order, applicant shall so advise the Commission in writing.

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This authorization shall expire if not exercised within one year unless time be extended or if the above conditions are not complied with. This 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 25th
day of JUNE, 1974.

Vernon L. Stinson
President
William L. Stinson
John L. Stinson
John L. Stinson
Commissioners