

Decision No. S3116**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of the State of California,
 Department of Transportation, for an
 order to widen the existing two-lane
 at-grade crossing of the Atchison, Topeka
 and Santa Fe Railway Company Main Line
 tracks (PUC Crossing No. 2-1117.9) and
 alter existing crossing protection from
 Standard No. 9's to Standard No. 9A's
 near the City of Stockton, San Joaquin
 County.

Application No. 54730
 (Filed March 14, 1974)

O P I N I O N

The California Department of Transportation requests authority to widen State Route 4 at grade across tracks of The Atchison, Topeka and Santa Fe Railway Company near Stockton, San Joaquin County.

The California Department of Transportation, acting by and through the California Highway Commission, is the lead agency for this project pursuant to the California Environmental Quality Act of 1970, as amended. Applicant has determined that this project is categorically exempt.

Notice of the application was published in the Commission's Daily Calendar on March 15, 1974. No protests have been received. A public hearing is not necessary.

F I N D I N G S

After consideration, the Commission finds:

1. Pursuant to the Commission's Rule 17.1 (m)(1)(A) 5, 6 and 7 this project is categorically exempt from the requirements of the California Environmental Quality Act of 1970, as amended.

2. Applicant should be authorized to widen State Route 4 at grade across tracks of The Atchison, Topeka and Santa Fe Railway Company near the City of Stockton, County of San Joaquin, at the location and substantially as shown by plans attached to the application, identified as Crossing No. 2-1117.9.

3. Construction expense of the crossing and installation costs of the automatic protection should be borne in accordance with an agreement to be entered into between the parties involved. Should the parties fail to agree, the Commission will apportion the costs by further order.

4. Maintenance costs of the automatic protection should be shared equally between the railroad and the governmental body having jurisdiction over the crossing at the time said maintenance costs are incurred.

5. Dimensions, configurations, clearances and walkways should be substantially in accordance with the plans set forth in the application and comply with applicable rules and general orders of the Commission.

C O N C L U S I O N S

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 California Department of Transportation is authorized to widen State Route 4 at grade across tracks of The Atchison, Topeka and Santa Fe Railway Company near the City of Stockton, San Joaquin County, at the location and substantially as shown by plans attached to the application, identified as Crossing No. 2-1117.9.

2. Protection at the crossing shall be two Standard No. 9-A gates with cantilever signals (General Order No. 75-C).

3. Construction of the crossing shall be equal or superior to Standard No. 3 (General Order No. 72-B).

4. Width of crossing shall be 40 feet and grades of approach shall be less than two percent.

5. Clearances shall conform to General Order No. 26-D. Walkways shall conform to General Order No. 118.

6. Construction expense of the crossing and installation costs of the automatic protection shall be borne in accordance with an agreement to be entered into between the parties involved. Should the parties fail to agree, the Commission will apportion the costs by further order.

7. Construction plans of the crossing approved by The Atchison, Topeka and Santa Fe Railway Company, together with a copy of the agreement entered into between the parties involved, shall be filed with the Commission prior to commencing construction.

8. Maintenance of the crossing shall be in accordance with General Order No. 72-B.

9. Maintenance costs of the automatic protection shall be shared equally between the railroad and the governmental body having jurisdiction over the crossing at the time said maintenance costs are incurred pursuant to Public Utilities Code Section 1202.2.

10. 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 the above conditions are not complied with. This authorization may be revoked or modified if public convenience, necessity or safety so require.

A. 5473C JMS

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

Dated at San Francisco, California, this 7th day
of JULY, 1974.

Vernon L. Sturgeon
President
William J. ...
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Commissioners