

Decision No. 83147

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of Application of
THE WESTERN PACIFIC RAILROAD COMPANY }
for authority to construct a drill }
track and a spur track at grade across }
San Luis Obispo Avenue in the City of }
Hayward, County of Alameda, State of }
California. }

Application No. 54713
(Filed March 6, 1974)

O P I N I O N

The Western Pacific Railroad Company requests authority to construct a drill track and a spur track at grade across San Luis Obispo Avenue in the City of Hayward, County of Alameda.

Notice of the application was published in the Commission's Daily Calendar on March 7, 1974. No protests have been received. A public hearing is not necessary.

F I N D I N G S

After considerations, the Commission finds:

1. Applicant should be authorized to construct the requested drill track and spur track at grade across San Luis Obispo Avenue.

2. Construction and maintenance expense of the crossing and the installation and maintenance cost of the warning devices 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.

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 Western Pacific Railroad Company is authorized to construct a drill track and a spur track at grade across San Luis Obispo Avenue in the City of Hayward, County of Alameda, at the location and substantially as shown by plans attached to the application, to be identified as Crossing No. 4-27.35-C.
2. Protection at the crossing shall be two Standard No. 1R crossing signs (General Order No. 75-C).
3. No train, engine, or motorcar shall be operated over said crossing unless it shall first be brought to a stop and traffic on the roadway protected by a member of the crew or other competent employee of the railroad acting as flagman. Suitable signs shall be installed at both sides of San Luis Obispo Avenue calling attention of trainmen to the above restriction.
4. Written instructions shall be issued by the railroad to trainmen, operating over said crossing, to comply with said flagging instructions. Copy of said instructions shall be filed with the Commission within thirty days after installation of said crossing.
5. Flagging procedures outlined herein shall remain in full force until suitable automatic protection is installed.
6. Installation and maintenance costs of automatic protection that may be installed in the future at this crossing shall be at the sole expense of the railroad.
7. Construction of the crossing shall be equal or superior to Standard No. 2 (General Order No. 72-B).

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8. Width of crossing shall be not less than 40 feet and grades of approach shall be not greater than one percent as shown on plans attached to the application.

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

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

11. 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.

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

Dated at San Francisco, California, this 16th day of JULY, 1974.

Vernon L. Sturgeon
President
William J. Lyons
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Commissioners