

ORIGINALDecision No. 84057

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the Application of)
 SOUTHERN PACIFIC TRANSPORTATION)
 COMPANY for an order authorizing the)
 construction at grade of an in-)
 dustrial spur track in, upon and)
 across Railroad Avenue in the City of)
 Morgan Hill, County of Santa Clara,)
 State of California.)

Application No. 55369
 (Filed December 9, 1974)

O P I N I O N

Applicant requests authority to construct an at-grade crossing of an industry spur track and Railroad Avenue in the City of Morgan Hill.

In connection with the construction of its industrial facility, Kransco Manufacturing Company submitted a Draft Environmental Impact Report, on behalf of the Southern Pacific Transportation Company, to the Morgan Hill Planning Commission. The Draft Report, which was approved by the Morgan Hill Planning Commission on April 23, 1974, concluded that the project, with reasonable certainty, will not have a significant effect on the environment.

Notice of the application was published in the Commission's Daily Calendar on Tuesday, December 10, 1974. No protest has been received. A public hearing is not necessary.

F I N D I N G S

After consideration the Commission finds:

1. Applicant should be authorized to construct an industry spur track at grade across Railroad Avenue in the City of Morgan Hill, County of Santa Clara, at the location and substantially as shown by plan attached to the application.
2. Costs of constructing and maintaining the crossing and protection should be borne by the applicant.

3. The Commission finds with reasonable certainty that this project will not have a significant effect on the environment.

4. Dimensions, configurations, clearances and walkways should be substantially in accordance with the plan set forth in the application and should 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. Southern Pacific Transportation Company is authorized to construct, maintain and operate an industry spur track at grade across Railroad Avenue in the City of Morgan Hill, County of Santa Clara, at the location and substantially as shown by the plan attached to the application, to be identified as Crossing No. E-72.45-C.

2. Protection at the crossing shall be three Standard No. 1R signs (General Order No. 75-C).

3. Construction of the crossing shall be equal or superior to Standard No. 1 (General Order No. 72-B).

4. Clearances shall conform to General Order No. 26-D. Walkways shall conform to General Order No. 11C.

5. Construction expense of the crossing shall be borne by the applicant.

6. Maintenance cost of the crossing shall be borne by the applicant in accordance with General Order No. 72-B.

7. Within thirty days after completion, pursuant to this order, applicant shall so advise the Commission in writing. This authorization shall expire if the above conditions are not

complied with or within one year unless time be extended. 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, this 11th day of FEBRUARY, 1975.

Vernon L. Sturgeon
President
William J. Gussow, Jr.
Stanley A. ...
Leonard Ross
Commissioners