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Decision No. 84149

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of the State of California,)
Department of Transportation, for an)
order authorizing the construction of)
a new section of State Route 84 which)
will create one new at-grade crossing)
over the tracks of the Sacramento)
Northern Railway Company at Railroad)
Station 54+42 and the construction of)
a grade separation under Southern)
Pacific Transportation Company's double)
main line tracks at Southern Pacific)
Railway Station 3095+52, to be known)
as Mikon Underpass, connecting West)
Sacramento with the communities of)
Bryte and Broderick in the County of)
Yolo.)

Application No. 55387
(Filed December 17, 1974)

O P I N I O N

In the process of constructing a new section of State Route 84, the State of California, Department of Transportation, requests authority to construct one new at-grade crossing over the tracks of the Sacramento Northern Railway Company at Railroad Station 54+42 and to construct a grade separation under Southern Pacific Transportation Company's double main line tracks at Railroad Station 3095+52, to be known as Mikon Underpass, connecting West Sacramento with the communities of Bryte and Broderick in the county of Yolo.

When the application was originally filed, applicant was in agreement with the Sacramento Northern Railway Company as to the construction and apportionment of costs, but was not in agreement with Southern Pacific Transportation. The matter was set for hearing but was removed from calendar upon the receipt of a letter from the

Southern Pacific Transportation Company dated January 30, 1975, which indicated that the company had no objection to the issuance of an ex parte order authorizing the proposed project in accordance with an agreement to be entered into between the parties, which would also cover modification in structure design.

The California Highway Commission is the lead environmental agency for this project pursuant to the California Environmental Quality Act of 1970, as amended, and on October 16, 1974, approved a negative environmental declaration of this project.

Notice of the application was published in the Commission's Daily Calendar on December 18, 1974. No protests have been received. A public hearing is not necessary.

Findings

1. Applicant should be authorized to do the work as indicated in Appendix A attached hereto at the locations and substantially as shown by plans attached to the application in the county of Yolo, subject to modifications to be agreed upon by applicant and the Southern Pacific Transportation Company.

2. 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.

3. Construction and maintenance expenses should be borne in accordance with agreements to be entered into between the parties.

4. The California Highway Commission is the lead agency for this project and on October 16, 1974 approved a negative environmental declaration. The Commission accepts said report and finds that the environmental impact of the proposed action is not significant.

The Commission concludes 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 construct Kagle Drive (State Route 84) in Yolo County at grade across the tracks of the Sacramento Northern Railway, at the location and substantially as shown by plans attached to the application, identified as Crossing No. 8B-0.9.

- a. Construction of the crossing shall be equal or superior to Standard No. 4A (General Order No. 72-B).
- b. Width of the crossing and grades of approach shall be as shown on plans attached to the application.
- c. Crossing protection shall be four Standard No. 9 crossing gates (General Order No. 75-C).
- d. Construction expense of the crossing and installation cost of the automatic protection shall be borne as agreed by the parties.
- e. Maintenance costs of the crossing protection shall be borne by the governmental body having jurisdiction over the crossing at the time said maintenance costs are incurred in accordance with Section 1202.2 of the Public Utilities Code.
- f. Maintenance of the crossing shall be in accordance with General Order No. 72-B.

2. Applicant is authorized to construct Kagle Drive (State Route 84) in Yolo County under the tracks of the Southern Pacific Transportation Company, at the location and substantially as shown by plans attached to the application, identified as Crossing No. A-87.5-3.

- a. Construction and maintenance costs shall be borne in accordance with an agreement to be entered into between the parties relative thereto and a copy of said agreement, together with plans of said crossing approved by the Southern Pacific Transportation Company shall be filed with the Commission prior to commencing construction. Should the parties fail to agree, the Commission will apportion the cost of construction and maintenance by further order.

3. Clearances shall be in accordance with General Order No. 26-D. Walkways shall conform to General Order No. 118.

4. 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 three 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 4th day of MARCH, 1975.

Vernon L. Shuman
President
William J. Quinn
Donald J. Quinn
Leonard Ross
Commissioners