

Decision No. 84180**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

APPLICATION OF THE ATCHISON, TOPEKA
AND SANTA FE RAILWAY COMPANY, a
corporation, for authority to con-
struct, maintain and operate a spur
track over Woodlawn Avenue in the
City of Tustin, County of Orange,
California.

Application No. 55400
(Filed December 23, 1974)

O P I N I O N

The Atchison, Topeka and Santa Fe Railway Company requests authority to construct a spur track at grade across Woodlawn Avenue in the City of Tustin, County of Orange. The spur track will serve the existing plant of the McKesson Chemical Company.

Notice of the application was published in the Commission's calendar on December 24, 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. The proposed construction will provide rail service to an existing plant.
2. Applicant should be authorized to construct an industrial spur track, at grade, across Woodlawn Avenue in the City of Tustin, County of Orange, at the location and substantially as shown by the plan attached to the application.
3. Costs of constructing the crossing should be borne by the applicant.
4. Installation and maintenance costs of the automatic protection should be borne by the applicant.
5. The industry to be served is anxious to receive service over this track and the applicant should be authorized to proceed with construction with interim protection consisting of Standard

No. 1-R crossing signs (General Order No. 75-C) with all movements over the crossing protected by a member of the train crew until automatic protection can be placed in service.

6. It can be seen with reasonable certainty 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 Atchison, Topeka and Santa Fe Railway Company (applicant) is authorized to construct an industrial spur track, at grade, across Woodlawn Avenue in the City of Tustin, County of Orange, at the location and substantially as shown by the plan attached to the application.
2. The crossing, to be identified as Crossing No. 2-17C.35-C, shall be protected by two Standard No. 3 flashing light signals (General Order No. 75-C).
3. Costs of constructing the crossing shall be borne by the applicant.
4. Construction of the crossing shall be equal or superior to Standard No. 1 (General Order No. 72-3). Crossing widths shall conform to the existing street with tops of rails flush with the street.
5. Clearances shall conform to General Order No. 26-D. Walkways shall conform to General Order No. 113.
6. Installation and maintenance costs of the automatic protection shall be borne by The Atchison, Topeka and Santa Fe Railway Company.
7. Maintenance of the crossing shall be in accordance with General Order No. 72-3.

8. For a period not to exceed six months from the date of this order, protection at the crossing may be two Standard No. 1-R signs (General Order No. 75-C) and no on-rail vehicle shall be operated over said crossing unless it shall first be brought to a stop and traffic on the street protected by a member of the crew or other competent employee of the railroad acting as a flagman. 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. Flagging procedures outlined herein shall remain in full force until the automatic protection required herein is installed.

9. 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 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 the date hereof.

Dated at San Francisco, California, this 11th
day of MARCH, 1975.

Leonard L. Sturgeon
President

William J. Quinn, Jr.

[Signature]

Leonard L. Sturgeon
Commissioners