

Decision No. 84608**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of the State of California,
 Department of Transportation, for an
 order authorizing the widening of the
 existing Amador Central Railroad
 Company's At-grade Crossing Public
 Utilities Commission No. 12-11.9 from
 two lanes to four through lanes with
 two bus lanes and a common left turn
 lane protected with two Standard No.
 9A's, in connection with the widening
 of Route 49, in the area between Martell
 and Ridge Road, in the County of Amador.)

Application No. 55633
 (Filed April 16, 1975)

O P I N I O N

As part of the project to widen State Route 49 from Martell to Central House, the State of California Department of Transportation, requests authority to widen and alter State Route 49 at grade across the tracks of the Amador Central Railroad Company near the Community of Martell in Amador County.

The California Highway Commission is the lead agency for this project pursuant to the Environmental Quality Act of 1970, as amended. After review of an Environmental Impact Report, the California Highway Commission approved the project to widen State Route 49 from Martell to Central House, and on June 20, 1974, filed a Notice of Determination with the Secretary for Resources which found that "the project will have a significant effect on the environment".

Notice of the application was published in the Commission's Daily Calendar on April 18, 1975. 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. Applicant should be authorized to widen State Route 49 at grade across the tracks of the Amador Central Railroad Company near the Community of Martell in Amador County, at the location and substantially as shown by plans attached to the application.

2. 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 relative thereto.

3. Maintenance of the crossing should conform to General Order No. 72-B. Maintenance costs of the automatic protection should be shared equally by the railroad and the governmental body having jurisdiction over the crossing at the time said maintenance costs are incurred.

4. 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.

5. The Public Utilities Commission has considered the California Highway Commission's Notice of Determination in rendering its decision on this project and finds that the benefits of the project involved in this proceeding outweigh any adverse effects and that it should be approved in view of the public benefits to be derived.

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:

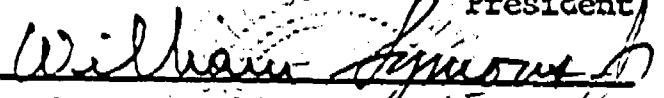
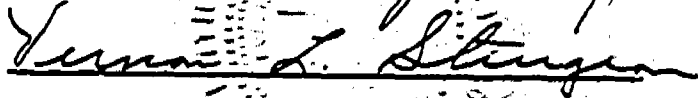
1. The California Department of Transportation is authorized to widen State Route 49 at grade across the tracks of the Amador Central Railroad Company near the Community of Martell in Amador County, at the location and substantially as shown by plans attached to the application, identified as Crossing No. 12-11.9.
2. Construction of the crossing shall be equal or superior to Standard No. 4-A (General Order No. 72-B).
3. Width of the crossing and grades of approach shall be as shown on plans attached to the application.
4. Clearances shall conform to General Order No. 26-D. Walkways shall conform to General Order No. 118.
5. Crossing protection shall be two Standard No. 9-A automatic gate-type signals with cantilever arms (General Order No. 75-C).
6. Construction expense of the crossing and installation of the automatic protection shall be borne in accordance with an agreement to be entered into between the parties relative thereto, and a copy of the agreement, together with plans of the crossing approved by the Amador Central Railroad Company, shall be filed with the Commission prior to commencing construction. Should the parties fail to agree, the Commission will apportion the costs of construction and installation by further order.
7. Maintenance costs of the automatic protection shall be shared equally by the railroad and the governmental body having jurisdiction over the crossing at the time said maintenance costs are incurred pursuant to Section 1202.2 of the Public Utilities Code.
8. Maintenance of the crossing shall be in accordance with General Order No. 72-B.
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 two years unless time be extended or if the above conditions are not complied with. 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 15th day of JULY, 1975.



President





Commissioners

Commissioner Leonard Ross, being necessarily absent, did not participate in the disposition of this proceeding.