

Decision No. 84920**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of the County of Monterey  
 (a body politic and corporate) of the  
 State of California for permission to  
 construct an at grade crossing over the  
 Southern Pacific Railroad Company's rail-  
 road tracks at Dolan Road in the County of  
 Monterey, State of California.

Application No. 55767  
 (Filed June 25, 1975)

O P I N I O N

The County of Monterey requests authority to construct a new road at grade across a spur track of the Southern Pacific Transportation Company at Milepost E-108.03 near the Community of Moss Landing in Monterey County.

The new road will provide access over a public crossing between Dolan Road and an existing private road. After completion of the new public crossing, the two private crossings, which presently provide access to the private road, will be abandoned and physically closed.

The County of Monterey is the lead agency for this project pursuant to the California Environmental Quality Act of 1970, as amended, and the Monterey County Director of Public Works approved a Negative Declaration on January 17, 1975.

Notice of the application was published in the Commission's Daily Calendar on June 26, 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. The County of Monterey should be authorized to construct a new road at grade across the Southern Pacific Transportation Company's spur track at Milepost E-108.03 near the Community of Moss Landing in Monterey County at the location and substantially as shown by plans attached to the application.

2. Dimensions, configurations, clearances and walkways should be substantially in accordance with the plans attached to the application and comply with applicable rules and general orders of the Commission.

3. Cost of the crossing and installation of automatic protection should be borne by the applicant.

4. Maintenance of the crossing should conform to General Order No. 72-B. Maintenance costs of the automatic protection should be borne by the applicant.

5. The Commission has considered the County of Monterey's Negative Declaration and finds with reasonable certainty that this project 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 County of Monterey is authorized to construct a new road at grade across a spur track of the Southern Pacific Transportation Company at Milepost E-108.03 near the Community of Moss Landing in Monterey County, at the location and substantially as shown by plans attached to the application, to be identified as Crossing No. E-108.0-C.

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

3. Protection at the crossing shall be two Standard No. 9 signals (General Order No. 75-C).

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

5. Construction expense of the crossing and installation cost of the automatic protection shall be borne by the applicant.

6. Maintenance of the crossing shall be in accordance with General Order No. 72-B. Maintenance cost of the automatic protection shall be borne by the applicant pursuant to the provisions of Section 1202.2 of the Public Utilities Code.

7. After completion of the new grade crossing, Crossing No. E-108.0-C, the two existing private crossings of the spur track at Mileposts E-107.8 and E-107.9 shall be abandoned and physically closed.


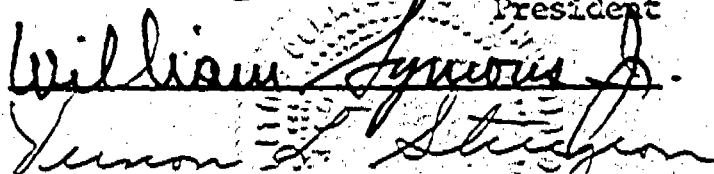

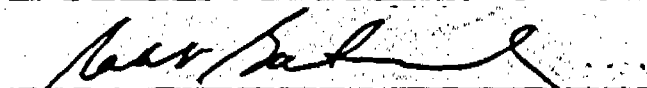
8. Construction plans of the crossing approved by the Southern Pacific Transportation Company, together with a copy of the agreement entered into between the parties involved, shall be filed with the Commission prior to commencing construction.

9. 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 two years unless time be extended. 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 16th day of SEPTEMBER, 1975.

  
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President  
  
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Commissioners