

Decision No. 84987

ORIGINAL

## BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of )  
 the County of Calaveras to construct a )  
 County Road across the Right of Way )  
 of the Southern Pacific Transportation )  
 Company at Ward Avenue in the vicinity )  
 of Wallace, California. )

Application No. 55785  
 (Filed July 2, 1975)

O P I N I O N

The County of Calaveras requests authority to construct Ward Avenue at grade across the tracks of the Southern Pacific Transportation Company's Kentucky House Branch Line near the Community of Wallace in Calaveras County.

The County of Calaveras is the lead agency for this project pursuant to the Environmental Quality Act of 1970, as amended. After review of an Environmental Impact Study, the Calaveras County Environmental Committee approved a Negative Declaration which was filed with the Calaveras County Clerk on September 5, 1975.

Notice of the application was published in the Commission's Daily Calendar on July 7, 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 construct Ward Avenue at grade across the tracks of the Southern Pacific Transportation Company's Kentucky House Branch Line near the Community of Wallace, Calaveras County, at the location and substantially as shown by plans attached to the application.
2. Construction costs of the crossing should be borne by the applicant.
3. Maintenance of the crossing should be in accordance with

General Order No. 72-B.

4. Dimensions, configurations, clearances and walkways should be substantially in accordance with the plans set forth in the application and should comply with applicable rules and general orders of the Commission.

5. The Commission has considered the applicant'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 Calaveras is authorized to construct Ward Avenue at grade across the tracks of the Southern Pacific Transportation Company near the Community of Wallace, Calaveras County, at the location and substantially as shown by plans attached to the application, to be identified as Crossing No. DF-120.6.
2. Construction of the grade crossing shall be equal or superior to Standard No. 1 (General Order No. 72-B).
3. Width of crossing shall be not less than 24 feet and grades of approach not greater than one percent.
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. 1-R crossing signs (General Order No. 75-C).
6. Construction costs of the crossing shall be borne by the applicant.
7. Maintenance of the crossing shall be in accordance with General Order No. 72-B.
8. Construction plans of the crossing approved by the Southern

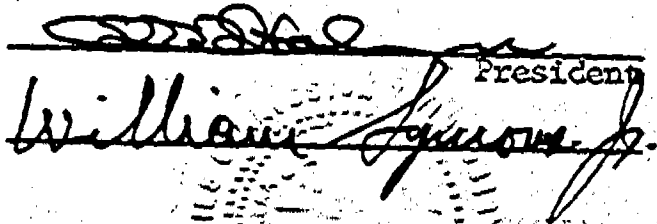
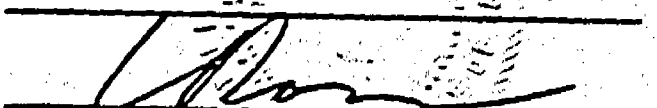

Pacific Transportation Company, together with a copy of the agreement entered into between the parties involved, shall be filed with the Commission prior to commencing construction.

9. Within thirty days after completion pursuant to this order applicant shall so advise the Commission in writing.

This authorization shall expire if 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 OCTOBER, 1975.

  
\_\_\_\_\_  
President  
  
\_\_\_\_\_  
  
\_\_\_\_\_  
Commissioners

Commissioner Vernon L. Sturgeon, being necessarily absent, did not participate in the disposition of this proceeding.