

**ORIGINAL**Decision No. 85271

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of Application of the  
 County of Fresno, State of California,  
 for an order authorizing construction  
 of a new crossing at grade over The  
 Atchison, Topeka and Santa Fe Railway  
 Company railroad tracks in connection  
 with the construction of Bethel Avenue  
 between Adams Avenue and American  
 Avenue in the County of Fresno,  
 California.

Application No. 56069  
 (Filed November 14, 1975)

O P I N I O N

The County of Fresno (applicant) requests authority to construct Bethel Avenue at grade, across The Atchison, Topeka and Santa Fe Railway Company's Visalia Branch near Del Rey, Fresno County. The proposed construction lies within an agricultural area.

The County of Fresno is the lead agency for this project pursuant to the California Environmental Quality Act of 1970, as amended. After review of a Negative Declaration, the Fresno County Department of Public Works approved the project and filed a Notice of Determination with the Fresno County Clerk on May 22, 1974.

Notice of the application was published in the Commission's Daily Calendar on November 13, 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 Bethel Avenue at grade across The Atchison, Topeka and Santa Fe Railway Company's Visalia Branch near Del Rey, Fresno County, at the location and substantially as shown by plans attached to the application.
2. Construction cost of the crossing and installation cost of the automatic protection should be borne by the applicant.

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

4. The Commission has considered applicant's Negative Declaration and Notice of Determination, and finds with reasonable certainty that this project will not have a significant effect on the environment.

5. 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.

### 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 Fresno is authorized to construct Bethel Avenue at grade across the tracks of The Atchison, Topeka and Santa Fe Railway Company's Visalia Branch near Del Rey, Fresno County, at the location and substantially as shown by plans attached to the application, to be identified as Crossing No. 2V-57.0.

2. Construction of the crossing shall be equal or superior to Standard No. 3 (General Order No. 72-B).

3. Width of the crossing shall be not less than 40 feet and grades of approach shall not exceed two percent.

4. Clearances shall conform to General Order No. 26-D. Walkways shall conform to General Order No. 113.

5. Protection at the crossing shall be two Standard No. 9-A automatic gate-type signals with cantilever arms (General Order No. 75-C).

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


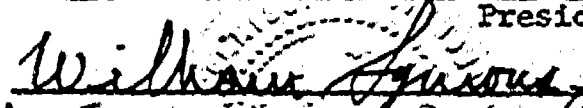
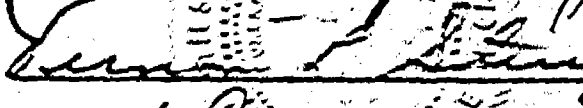


7. Maintenance of the crossing shall be in accordance with General Order No. 72-B. Maintenance cost of the automatic protection shall be borne by the applicant pursuant to Section 1202.2 of the Public Utilities Code.

8. Construction plans of the crossing approved by The Atchison, Topeka and Santa Fe Railway Company, together with a copy of the agreement entered into between 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 30th  
day of DECEMBER, 1975.

  
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President  
  
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Commissioners