

ORIGINAL

Decision No. 85327

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

In the Matter of the Application of )  
 the City of Orange to construct Meats )  
 Avenue, a public street, across the )  
 railroad tracks of De Soto, Inc. and )  
 the Southern Pacific Transportation )  
 Company and to construct Pacific )  
 Street, a public street, across the )  
 railroad tracks of the Southern )  
 Pacific Transportation Company in the )  
 City of Orange, Orange County. )

Application No. 55915  
 (Filed September 2, 1975)

O P I N I O N

The City of Orange requests authority to construct Meats Avenue and Pacific Street at grade across spur tracks of the Southern Pacific Transportation Company in the City of Orange, Orange County.

The new roads will provide access over public crossings between Glassell Street and Freedom Avenue.

The City of Orange is the lead agency for this project pursuant to the California Environmental Quality Act of 1970, as amended. On August 26, 1975, an Environmental Impact Report was approved by the City Council which found that the project would have a significant effect upon the environment. A Notice of Determination which approved the project was filed with the Orange County Clerk on September 15, 1975.

The Environmental Impact Report adopted by the City of Orange notes that this project will create a variety of adverse impacts on the environment. Mitigation measures are recommended which should minimize these potentially adverse impacts. It is anticipated that the road improvement project will also create a long-term beneficial impact on a local and regional scale by improving surface transportation to make travel by automobile faster, safer and more convenient.

Notice of the application was published in the Commission's Daily Calendar on September 10, 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 City of Orange should be authorized to construct Meats Avenue and Pacific Street at grade across the Southern Pacific Transportation Company's spur tracks in the City of Orange, Orange County at the locations 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 crossings and installation of automatic protection should be borne by the applicant.
4. Maintenance of the crossings 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 City of Orange's Environmental Impact Report and 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 environmental 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 City of Orange is authorized to construct Meats Avenue and Pacific Street at grade across spur tracks of the Southern Pacific Transportation Company in the City of Orange, Orange County, at the locations and substantially as shown by plans attached to the application, to be identified as Crossings Nos. BM-515.38-C and BM-515.69-C respectively.

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

3. Protection at Meats Avenue crossing shall be two Standard No. 9 signals (General Order No. 75-C). Protection at Pacific Street crossing shall be two Standard No. 8-A 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 crossings and installation costs of the automatic protection shall be borne by the applicant.

6. Maintenance of each 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. Construction plans of the crossings 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.

8. 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, California, this 6th day of JANUARY, 1976.

William J. Lyons Jr. President  
Vernon L. Sturgeon  
Leonard R. ...  
Paul H. ... Commissioners