

Decision No. 85510

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the Application of
SOUTHERN PACIFIC TRANSPORTATION COMPANY
for an order authorizing the construction
at grade of an industrial spur track in,
upon, along or across Caballero Boulevard
in the City of Buena Park, County of Orange,
State of California.

} Application No. 56174
} (Filed January 5, 1976)

O P I N I O N

As part of the expansion of Lucky Stores, Inc. food processing and warehouse facility, the Southern Pacific Transportation Company (applicant) requests authority to construct, maintain and operate an industrial spur track at grade across Caballero Boulevard in the City of Buena Park, Orange County.

The City of Buena Park is the lead agency for the project to expand the Lucky Stores, Inc. facility pursuant to the Environmental Quality Act of 1970, as amended. On January 2, 1974, Negative Declaration No. E-CU-468 was filed with the Orange County Clerk. On January 9, 1974 the City Planning Commission approved the project by Resolution No. 2537.

Notice of the application was published in the Commission's Daily Calendar on January 9, 1976. 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 proposed construction will provide rail service to an expanding food service facility in the City of Buena Park.
2. Applicant should be authorized to construct, maintain and operate an industrial spur track at grade, across Caballero Boulevard in the City of Buena Park, Orange County, at the location and substantially as shown by Los Angeles Division Drawing No. B-6161, Sheet No. 1, dated September 15, 1975, attached to the application.

3. Costs of constructing the crossing should be borne by the applicant.

4. Installation and maintenance costs of the automatic protection should be borne by the applicant.

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

6. The applicant should be authorized to proceed with construction with interim protection consisting of two Standard No. 1-R crossing signs (General Order No. 75-C) with all movements over the crossing protected by a member of the train crew until automatic protection can be placed in service.

7. The Commission has considered the city'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 Southern Pacific Transportation Company is authorized to construct, maintain and operate an industrial spur track, at grade, across Caballero Boulevard in the City of Buena Park, Orange County, at the location and substantially as shown by Los Angeles Division Drawing No. B-6161, Sheet No. 1, dated September 15, 1975, attached to the application, to be identified as Crossing No. BK-504.35-C.

2. Construction of the crossing shall be equal or superior to Standard No. 2 (General Order No. 72-B). Width of the crossing shall conform to the ultimate width as shown on the city's master plan of streets with tops of rails flush with the street..

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

4. Protection at the crossing shall be two Standard No. 8-A automatic signals (General Order No. 75-C).

5. Construction expense of the crossing and installation costs 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.


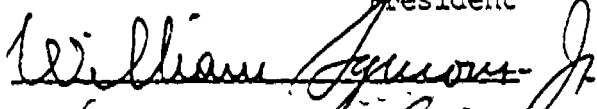

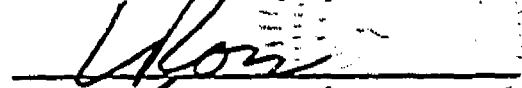

7. For a period not to exceed one year from the date of this order, protection at the crossing may be two Standard No. 1-R signs (General Order No. 75-C) and no on-rail vehicle shall be operated over said crossing unless it shall first be brought to a stop and traffic on the street protected by a member of the crew or other competent employee of the railroad acting as a flagman. Written instructions shall be issued by the railroad to trainmen, operating over said crossing, to comply with said flagging instructions. Copy of said instructions shall be filed with the Commission within thirty days after installation of said crossing. Flagging procedures outlined herein shall remain in full force until the automatic protection required herein is installed.

8. 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 one year 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 2nd day of MARCH, 1976.


President




Commissioners