

Decision 87 12 023 DEC 9 1987

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

APPLICATION OF THE SAN DIEGO METROPOLITAN)	
TRANSIT DEVELOPMENT BOARD FOR AN ORDER)	APPLICATION 87-01-016
MODIFYING PUBLIC UTILITIES COMMISSION)	(Petition for Modification)
DECISION 87-03-060, DATED MARCH 25, 1987)	(Filed June 24, 1987)

APPLICATION of the SAN DIEGO METROPOLITAN)	
TRANSIT DEVELOPMENT BOARD, herein some-)	
times referred to as "MTDB", for an order)	APPLICATION 87-01-016
authorizing the construction of Jackson)	(Filed January 2, 1987)
Drive Bridge (Br. No. 36D-13.4) over)	
Jackson Drive in the City of La Mesa and)	
construction of Jackson Drive underpass)	
under said bridge, in accordance with the)	
MTDB objective to improve safety conditions)	
at grade crossing.)	

ORDER MODIFYING DECISION 87-03-060

By Decision (D.) 87-03-060, dated March 25, 1987, in Application (A.) 87-01-016, the San Diego Metropolitan Transit Development Board (MTDB) was authorized to construct Jackson Drive at separated grades under the tracks of San Diego and Imperial Valley Railroad Company's (SD&IV) La Mesa Branch Line and San Diego Trolley's Inc.'s (SDTI) East Urban Line in La Mesa, San Diego County. Authority was also granted to construct a temporary detour grade crossing of Jackson Drive across the shoofly track which will be required during the period of construction.

On June 24, 1987, MTDB filed a Petition for Modification of D.87-03-060 which requests temporary authority to deviate from the provisions of the Commission's General Order (GO) 26-D and GO 118 during the period of construction of the Jackson Street Undercrossing. MTDB states that if the temporary deviations are

not granted that agency would be required to purchase right-of-way and remodel an adjacent building at an estimated cost of \$1,000,000.

By letter dated June 8, 1987, SD&IV advised the Commission that it would have no objection to granting the requested deviation GO 26 and GO 118 with the reduced clearances because there are no active spurs in the vicinity.

Notice of the Petition for Modification of D.87-03-060 was published in the Commission's Daily Calendar on July 1, 1987. No protests have been received. A public hearing is not necessary.

Findings of Fact

1. MTDB requests authority to deviate from requirements of General Order 26-D and GO 118 during the construction of Jackson Drive at separated grades under the tracks of SD&IV's La Mesa Branch Line and SDTI's East Urban Line in La Mesa, San Diego County.

2. Modification of D.87-03-060 as it applies to GO 26-D and GO 118 and as more fully described in Exhibits B and C of MTDB's Petition for Modification dated June 24, 1987, is required to permit completion of the Jackson Drive Undercrossing.

3. Public convenience and necessity require temporary deviation from GO 26-D and GO 118 in order to complete the undercrossing and to allow operation of trains over the shoofly track.

Conclusions of Law

1. MTDB's Petition for Modification of D.87-03-060 should be granted as set forth in the following order.

2. Because the project is currently under construction, this order should be effective today.

O R D E R

IT IS ORDERED that D.87-03-060 is modified as follows:

1. The San Diego Metropolitan Transit Development Board (MTDB) is granted authority to deviate from GO 26-D and GO 118 clearance and walkway requirements, at the locations and substantially as shown by plans attached to the Petition for Modification during the period of construction at Jackson Drive Undercrossing 36D-13.4-B.
2. Written instructions shall be issued by MTDB and SD&IV to all trainmen operating over the shoofly and adjacent trackage to comply with all safety rules and instructions required by the impaired clearances. MTDB shall notify the Commission and SD&IV at least 15, but not more than 30, days in advance of the date when the temporary impaired clearances will be created.
3. In all other respects, D.87-03-060 shall remain in full force and effect.

4. The Petition for Modification is granted as set forth above.

This order is effective today.

Dated DEC 9 - 1987, at San Francisco, California

STANLEY W. HULETT
President

DONALD VIAL
FREDERICK R. DUDA
G. MITCHELL WILK
JOHN B. OHANIAN
Commissioners

I CERTIFY THAT THIS DECISION
WAS APPROVED BY THE ABOVE
COMMISSIONERS TODAY.


Victor Weissor, Executive Director

AS