

S/RRT/dt*

Decision 90-12-032 December 6, 1990

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of The County of Riverside
for an Order authorizing construction
of a crossing at separated grades
between Limonite Avenue and the track
of the Union Pacific Railroad Company,
sometimes referred to as the Limonite
Avenue Underpass, P.U.C. No. 3 - 39.8-B

ORIGINAL
Application 86-01-038
(Filed January 24, 1986,
Amended September 19, 1990)

ORDER EXTENDING TIME

By Decision (D.) 86-03-087, dated March 19, 1986 in Application (A.) 86-01-038, Riverside County (County) was authorized to construct Limonite Avenue at separated grades under the tracks of Union Pacific Railroad Company's (UPRR) main line near the community of Pedley, Riverside County.

County filed Petition for Modification to D.86-03-087 on September 19, 1990 requesting that the authority granted, which expired on April 19, 1989, be extended to June 30, 1991. County states that Right-of-Way acquisition has been delayed due to a hazardous waste spill, which has now satisfactorily been cleaned in accordance with State and Federal Standards. The final parcel of land required to construct the Limonite Avenue grade separation structure is now in escrow.

The Commission's Safety Division staff has reviewed the County's request and recommends that the Petition for Modification be granted.

Notice of the Petition for Modification of D.86-01-038 was published in the Commission's Daily Calendar on September 25, 1990 and a copy of the petition was served on Union Pacific Railroad Company. No protests have been received and there has been no substantial change in circumstances since the original authority was granted by Commission decision. A public hearing is not necessary.

Findings of Facts

1. County requests an extension of time from April 19, 1989 to June 30, 1991 to comply with the authority granted by D.86-03-087 in A.86-01-038.

2. The extension of time is required to properly dispose of a hazardous waste spill in accordance with State and Federal rules.

3. The final land parcel to construct the Limonite Avenue grade separation is now in escrow.

4. Public convenience and necessity require construction of the grade separation.

Conclusion of Law

County's request for an extension of time should be granted as set forth in the following order.

IT IS ORDERED THAT:

1. The County of Riverside is granted an extension of time from April 19, 1989 to June 30, 1991, to exercise the authority granted by Decision 86-03-087.

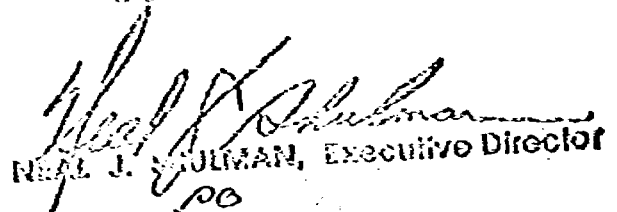
2. In all other respects, Decision 86-03-087 shall remain in full force and effect.

This order is effective 30 days from today.

Dated DEC 06 1990, at San Francisco, California.

G. MITCHELL WILK
President
FREDERICK R. DUDA
STANLEY W. HULETT
JOHN B. CHANIAN
PATRICIA M. ECKERT
Commissioners

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


NEAL J. SULLIVAN, Executive Director