

kd

Decision No. 86967

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of the County of  
 Alameda for the widening of Stanley  
 Boulevard PUC Crossing No. D-44.2-C,  
 and East Stanley Boulevard PUC  
 Crossing No. D-45.1-C over the  
 Southern Pacific Transportation  
 Company spur tracks in the County  
 of Alameda.

Application No. 56635  
(Filed July 19, 1976)

O P I N I O N

The county of Alameda seeks an order of the Commission authorizing the widening and improvement of Stanley Boulevard, (Crossing No. D-44.2-C) and of East Stanley Boulevard (Crossing No. D-45.1-C) over the industrial tracks of the Southern Pacific Transportation Company (SP).

SP and applicant are in agreement as to the need for improvements and the improvements to be made. The Commission staff concurs with the proposed improvements and recommends that authority be granted for these improvements together with the relocation and improvement of warning devices.

This project is categorically exempt from the requirements of the California Environmental Quality Act of 1970, as amended pursuant to Rule 17.1(m)(1)(A)5, 6, and 7, of the Commission's Rules of Practice and Procedure.

By letter dated October 1, 1976 SP advised it was agreeable to the project including apportionment of cost on a fifty-fifty basis. SP also advised that the tracks are owned by Lone Star Industries, Inc. and California Rock and Gravel Company, and that SP's portion of the cost of relocation and installation of protective devices at the crossings would be passed on to the named industries.

The above industries by letters dated November 4, 1976 and November 19, 1976 advised that they have previously expended substantial funds for installation of the present protective devices at the involved crossings. The industries feel they should not be required to expend additional monies for the improvement and widening of the crossings.

By letter dated December 6, 1976, applicant submitted Resolution No. 169759 which approved agreements between applicant and SP which agreements provide that the cost of installation of two flashing light grade crossing signals augmented with automatic gate arms and relocation of one flashing light signal with automatic gate arm and additional light units mounted on cantilever arms will be borne by applicant. The letter dated December 6, 1976, together with Resolution No. 169759, is received in evidence as Exhibit 1.

Findings

1. Applicant should be authorized to widen and improve Stanley Boulevard (Crossing No. D-44.2-C) and East Stanley Boulevard (Crossing No. D-45.1-C) across the tracks of the Southern Pacific Transportation Company, in the county of Alameda, at the location and substantially as shown by plans attached to the application.
2. Crossing protection at each crossing should be two Standard No. 9 signals and two Standard No. 9-A signals (General Order No. 75-C).
3. Dimensions, configurations, clearances, and walkways should be substantially in accordance with the plans set forth in the application and should comply with applicable rules and general orders of the Commission.
4. This project is categorically exempt from the requirements of the California Environmental Quality Act of 1970, as amended pursuant to Rule 17.1(m)(1)(A)5, 6, and 7 of the Commission's Rules of Practice and Procedure.

5. Maintenance cost of the crossing should conform to General Order No. 72-B.

6. Costs should be apportioned as set forth in Exhibit 1.

The Commission concludes that the application should be granted and that the effective date of this order should be the date hereof as there is an immediate need for the authorization granted herein.

O R D E R

IT IS ORDERED that:

1. The county of Alameda is authorized to widen and improve Stanley Boulevard (Crossing No. D-44.2-C) and East Stanley Boulevard (Crossing No. D-45.1-C) across the tracks of the Southern Pacific Transportation Company, in the county of Alameda, at the location and substantially as shown by plans attached to the application

2. Protection at each crossing shall be two Standard No. 9 signals and two Standard No. 9-A signals (General Order No. 75-C).

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

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

5. Maintenance of the crossing shall be in accordance with General Order No. 72-B.

6. Cost of maintenance of the automatic protection at both crossings shall be borne 50 percent by the county of Alameda and 50 percent by Southern Pacific Transportation Company as set forth in Exhibit 1 pursuant to Public Utilities Code Section 1202.2.

7. Costs for improvement of the crossings and for installation of the automatic crossing protection shall be borne by the county of Alameda as set forth in Exhibit 1.

8. Within thirty days after completion pursuant to this order applicant shall so advise the Commission in writing.

9. This authorization shall expire within one year unless time be extended or if 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 is the date hereof.

Dated at San Francisco, California, this 15<sup>th</sup>  
day of FEBRUARY, 1977.

Robert Bateman  
President  
William J. Gannon  
Robert D. Givens  
Commissioners

Commissioner Vernon L. Sturgeon, being necessarily absent, did not participate in the disposition of this proceeding.