

AM

Decision No. 87633 AUG 9 1977

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application }
of The Atchison, Topeka and Santa }
Fe Railway Company, a corporation }
for authority to construct, main- }
tain and operate an additional }
track across Cherry Avenue in }
the City of Fontana, County of }
San Bernardino, California. }

Application No. 57279
(Filed May 4, 1977)

O P I N I O N

The Atchison, Topeka and Santa Fe Railway Company requests authority to construct an additional track at the existing crossing of Cherry Avenue (Crossing 2-91.7) near the City of Fontana, San Bernardino County.

The existing crossing, consists of one main track, one siding track and one spur track. The proposed additional track is needed to alleviate rail congestion at the Kaiser Steel Plant and will serve mainly as an engine run around track.

Notice of the application was published in the Commission's Daily Calendar on May 6, 1977. 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. Applicant should be authorized to construct an additional track at the existing crossing of Cherry Avenue near the City of Fontana in San Bernardino County, at the location and substantially as shown by plan attached to the application, to be identified as a portion of Crossing 2-91.7.
2. Construction of the crossing should be equal or superior to Standard No. 2 (General Order 72-B).

3. Clearances should conform to General Order 26-D. Walkways should conform to General Order 118.

4. The present protection at the crossing consists of four Standard No. 9 automatic signals (General Order 75-C). Two of the existing signals should be relocated and an additional Standard No. 8 automatic signal (General Order 75-C) installed at the exit from the railway depot.

5. Construction cost of the crossing, installation and relocation costs of the automatic protection should be borne by the applicant.

6. Maintenance of the crossing should be in accordance with General Order 72-B. Maintenance cost of existing and relocated Standard No. 9 signals should be shared equally by the County and the railway. Maintenance cost of the proposed Standard No. 8 signal should be borne by the applicant, pursuant to Section 1202.2 of the Public Utilities Code.

7. It can be seen with certainty that there is no possibility that the additional track can 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 Atchison, Topeka and Santa Fe Railway Company is authorized to construct an additional track at the existing crossing of Cherry Avenue (Crossing 2-91.7) near the City of Fontana in San Bernardino County, as set forth in the findings of this decision.

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2. 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 9th day of AUGUST, 1977.

Robert Babunil
President
William J. Simon Jr.
Chas. L. L. L. L.

Commissioners

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

Commissioner Richard D. Gravelle, being necessarily absent, did not participate in the disposition of this proceeding.