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Decision No. 87634 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,
maintain and operate a lead track
and spur track over Victoria
Avenue in the City of San
Bernardino, County of San
Bernardino, State of California }

Application No. 57421
(Filed July 1, 1977)

O P I N I O N

The Atchison, Topeka and Santa Fe Railway Company requests authority to construct a lead track and spur track at grade across Victoria Avenue in the City of San Bernardino, San Bernardino County.

The proposed new crossings are located in the southeasterly section of the City of San Bernardino and will provide service to the City of San Bernardino Redevelopment Agencies Southeast Industrial Park encompassing 150 acres now under construction.

Applicant has advised that one new industry, named in the application, has immediate need for rail service and, therefore, requests that the usual 20-day waiting period be waived.

Notice of the application was published in the Commission's Daily Calendar on July 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 a lead track and spur track at grade across Victoria Avenue in the City of San Bernardino, San Bernardino County, at the location and

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substantially as shown by plan attached to the application to be identified as Crossing 2U-4.37-C.

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. Protection at the crossing should be by two Standard No. 2 automatic signals (General Order 75-C).

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

7. It can be seen with certainty that there is no possibility that the additional track can have a significant effect on the environment.

8. The industry to be served, requires immediate rail service and, therefore, the usual 20-day waiting period should be waived.

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 a lead track and spur track at grade across Victoria Avenue in the City of San Bernardino, San Bernardino County, as set forth in the findings of this decision.

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

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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 is the date hereof.

Dated at San Francisco, California, this 9th
day of AUGUST, 1977.

Robert B. Lurie
President
William J. Gerson
Clare L. DeBrick

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.