

Decision No. 88050 OCT 25 1977

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
the CITY OF SAN CLEMENTE to abolish)
an existing pedestrian underpass)
and, in place thereof, to construct)
a pedestrian at-grade crossing over)
the right-of-way of the Atchison,)
Topeka, and Santa Fe Railway Company.)

Application No. 55451
(Filed January 17, 1975)

ORDER DENYING REHEARING
AND MODIFYING DECISION NO. 87757

Petitions for rehearing of Decision No. 87757 having been filed by the City of San Clemente and the California Department of Transportation and each and every allegation presented in said petitions having been reviewed, the Commission is of the opinion that good cause for rehearing has not been shown to exist. However, the Commission finds that Finding No. 33 of Decision No. 87757 should be modified to conform the finding to Commission General Order No. 75-C.

THEREFORE, IT IS ORDERED that:

1. Rehearing of Decision No. 87757 is hereby denied.
2. Finding No. 33 is modified to read:

33. The pedestrian crossing should be a public crossing with minimum protection of standard No. 10 flashing lights and bells. The vehicular crossing should be a private crossing protected with modified No. 9 drop gates that remain in a closed (down) position unless activated to open by a card key or radio transmitter operated by the driver of an authorized vehicle or by a button or switch operated by an authorized employee of the city. The gate arm opening operation should be overridden by train-activated circuits.

A.55451 ns

The effective date of this order is the date hereof.
Dated at San Francisco, California, this 2nd day
of OCTOBER, 1977.

President
William Symons, Jr.
George L. Sturgeon
Richard D. Howell
Clare T. Delrich
Commissioners

Commissioner Robert Batimovich, being
necessarily absent, did not participate
in the disposition of this proceeding.