

ORIGINAL

Decision No. 88097 NOV 8 1977

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of the CITY OF EL CAJON )  
 (a General Law City) to construct a )  
 public street crossing of the San ) Application No. 57424  
 Diego and Arizona Eastern Railway ) (Filed July 1, 1977)  
 tracks in the City of El Cajon. )

O P I N I O N

The City of El Cajon requests authority to construct Petree Street at grade across the tracks of the San Diego and Arizona Eastern Railway Company in the City of El Cajon, San Diego County.

The City of El Cajon is the lead agency for this project pursuant to the Environmental Quality Act of 1970, as amended. After review of a Negative Declaration, the City of El Cajon approved the project and on October 18, 1977, filed a Notice of Determination with the San Diego County Clerk which found that "The project will not have a significant effect on the environment".

Notice of the application was published in the Commission's Daily Calendar on July 7, 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 Petree Street at grade across the tracks of the San Diego and Arizona Eastern Railway Company in the City of El Cajon in San Diego County at the location and substantially as shown by the plans attached to the application, to be identified as Crossing 36D-17.7-C.
2. Construction of the crossing should be equal or superior to Standard No. 1 of 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 one Standard No. 9-A automatic gate-type signal with cantilever arm and one Standard No. 9 automatic gate-type signal (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 pursuant to Section 1202.2 of the Public Utilities Code.

7. Construction plans of the crossing approved by the San Diego and Arizona Eastern Railway Company, together with a copy of the agreement entered into between the parties involved, should be filed with the Commission prior to commencing construction.

8. Applicant is the lead agency for this project pursuant to the Environmental Quality Act of 1970, as amended, and on July 1, 1977 approved its Negative Declaration which has been filed with the Commission. The Commission has considered the Negative Declaration and Notice of Determination in rendering its decision on this project and finds that:

- a. The environmental impact of the proposed action is insignificant.
- b. The planned construction is the most feasible and economical that will avoid any possible environmental impact.
- c. There are no known irreversible environmental changes involved in this project.

#### 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 City of El Cajon is authorized to construct Petree Street at grade across the tracks of the San Diego and Arizona Eastern Railway Company in the City of El Cajon, San Diego 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.

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 20th day of NOVEMBER, 1977.

Robert Bateman  
President  
William S. Brown, Jr.  
Vernon L. Sturgeon  
Charles W. Howell

Commissioners

Commissioner Claire T. Debrick, being necessarily absent, did not participate in the disposition of this proceeding.