

ORIGINAL

Decision No. 88794 MAY 2 1978

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of
 THE WESTERN PACIFIC RAILROAD COMPANY }
 for authority to construct a drill }
 track at grade over and across Ames }
 Avenue and Yosemite Drive within the }
 City of Milpitas, County of Santa }
 Clara, State of California. }

Application No. 57907
 (Filed March 2, 1978)

O P I N I O N

The Western Pacific Railroad Company requests authority to construct a drill track at grade across Ames Avenue and Yosemite Drive in the City of Milpitas, Santa Clara County.

The proposed drill track is an extension of an existing track which serves the industrial subdivision being developed by Standard Realty and Development Company. The proposed drill track will be installed as part of the continuing development of this rail-served subdivision.

Notice of the application was published in the Commission's Daily Calendar on March 3, 1978. 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 drill track at grade across Ames Avenue and Yosemite Drive in the City of Milpitas, Santa Clara County, at the location and substantially as shown by plans attached to the application, to be identified as Crossings 4G-13.45-C and 4G-13.71-C, respectively.
2. Construction of the crossings 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 each crossing should be two Standard No. 8-A flashing light signals with cantilevers (General Order 75-C).

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

6. Maintenance of the crossings 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 activity in question may 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 Western Pacific Railroad Company is authorized to construct a drill track at grade across Ames Avenue (Crossing 4G-13.45-C) and Yosemite Drive (Crossing 4G-13.71-C) in the City of Milpitas, Santa Clara 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.

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The effective date of this order shall be thirty days
after the date hereof.

Dated at San Francisco, California, this 2nd
day of MAY, 1978.

Robert Bateman
President
William Synovis, Jr.
Vernon L. Strigman
Robert P. Howell
Chae T. Delteil
Commissioners