

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE

Application of The Atchison, Topeka)
 and Santa Fe Railway Company, a)
 corporation, for authority to)
 construct, maintain and operate a)
 spur track across Kimberly Avenue,)
 between Acacia Avenue and Raymond)
 Avenue in the City of Fullerton,)
 County of Orange, State of)
 California)

Application No. 58309
(Filed August 21, 1978)

O P I N I O N

The Atchison, Topeka and Santa Fe Railway Company requests authority to construct an industrial spur track at grade across Kimberly Avenue in the City of Fullerton, Orange County.

The proposed spur track will provide rail service to an extension of the existing plant facilities of Globe-Union, Incorporated, located on the south side of Kimberly Avenue between Raymond and Acacia Avenues in the City of Fullerton. It is anticipated that there will not be more than two rail moves per week across the crossing at speeds of five to ten miles per hour. The area in the vicinity of the crossing is entirely industrial and there are numerous other crossings in the area.

The Commission is the lead agency for this project pursuant to the California Environmental Quality Act of 1970, as amended, Public Resources Code, Section 21000 et seq. The site of the proposed project has also been inspected by the Commission staff.

Presently 4 spur tracks cross Kimberly Avenue in the same block the proposed spur track is to be constructed. They all spring from the same lead track which is parallel to and located 10 feet from the edge of Kimberly Avenue. The area of the proposed project is all industrialized with rail service being provided to the majority of existing buildings.

Notice of the application was published in the Commission's Daily Calendar on August 23, 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 an industrial spur track at grade across Kimberly Avenue in the City of Fullerton, Orange County, at the location and substantially as shown by the plan attached to the application, to be identified as Crossing 2-116.65-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. 1-R crossing sign (General Order 75-C) installed on the southerly side of Kimberly Avenue.

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

6. Maintenance of the crossing should be in accordance with General Order 72-B.

7. The Commission is the lead agency for this project pursuant to the California Environmental Quality Act of 1970, as amended.

8. 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

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 industrial spur track at grade across Kimberly Avenue in the City of Fullerton, Orange 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 10th day of APRIL, 1979.

John E. Conyon President
Wesley L. Stinson
Richard D. Howell
Robert T. Delis
Arnold W. Jones Commissioners