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MAY 22 1979

Decision No. 90332

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
) (Petition for Modification
) filed November 8, 1977)
) (Petition for Reopening
) of the Record
) filed December 16, 1977)

ORDER REOPENING PROCEEDING

By D.87757 (August 23, 1977), as modified by D.88050 (October 25, 1977), the City of San Clemente (City) was authorized to construct a combination pedestrian and limited access vehicular at-grade crossing^{1/} of the Santa Fe main line (Crossing 2-204.7) at the site of private lifeguard Crossing 7 located about 500 feet northwesterly of pier entrance pedestrian tunnel Crossing 8.

By petition for modification of D.87757 and D.88050, filed November 8, 1977, the California Department of Transportation (Caltrans) recommends changes to the configuration of the authorized combination at-grade crossing, rearrangement of the protection equipment, and establishment of a vehicle access control on the inland side.

1/ Finding 33 of D.87757, as modified by D.88050 states, among other things, that the pedestrian crossing should be a public crossing and that the vehicular crossing should be a private crossing.

By petition for reopening of the record in A.55451, filed December 16, 1977, the City requests that certain new evidence provided in three affidavits attached to the petition be received. The City seeks authority to implement proposals contained in a master plan prepared by the San Clemente Redevelopment Agency^{2/} as that plan relates to present and proposed separated and at-grade crossings of the Santa Fe main line in the bowl/pier area.^{3/} The City finally approved the master plan in October 1977, nine months after the record in A.55451 was closed.

The master plan includes a proposal that a pedestrian overcrossing be constructed over the Santa Fe single track main line at the northwest side of existing tunnel Crossing 8. The tunnel would be demolished (filled in). The master plan also proposes that the limited access vehicular at-grade crossing authorized by D.87757 and D.88050 be moved to a location about 190 feet northwesterly of the proposed overcrossing, which is about 355 feet southeasterly of life-guard Crossing 7. It is the position of the City that the proposed relocation of the authorized pedestrian and vehicular at-grade crossing will complement the proposed overcrossing and will have the additional benefit of blending together the

2/ The Redevelopment Agency was created by City ordinance in June 1975 for the purpose of acting as a responsive arm of City government in satisfying a general and emphatic public appeal that the San Clemente Beach and its environs be resurrected from a slum area status to a redeveloped segment of the community attractive to both residents and visitors of the City and for their ongoing use and enjoyment.

3/ The bowl/pier area is a several square block area centering around the pier and located within Redevelopment Area No. 1.

entire redevelopment. Pedestrians now cross the track at grade in the bowl/pier area where there is no automatic warning or protection equipment.

The staff, Santa Fe, and Caltrans have opposed the City's petition for reopening. Subsequent correspondence discloses that Santa Fe and the City have reached general agreement relative to design specifications for the proposed overcrossing and relocation of the at-grade crossing, but have not reached agreement on certain details.

The record in A.55451 was developed over 13 days of hearing and includes 47 exhibits and numerous other filings. The additional proposals of the City and Caltrans relate to circumstances and facilities along the same 500-foot section of track involved in A.55451. It would simplify and expedite final resolution of the issues for the record in A.55451 to be reopened.

IT IS ORDERED that the record in Application No. 55451 is reopened for receipt of new evidence relative to matters set forth in the Petition for Modification of Decision No. 87757 and Decision No. 88050 filed November 8, 1977, and the Petition for Reopening of the Record filed December 16, 1977.

The effective date of this order is the date hereof.

Dated at San Francisco, California, this 27th day of MAY, 1979.

John E. Burns
President
Deborah L. Ferguson
Robert D. Howell
Lincoln R. ...
Commissioners

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