

Decision No. 92086 JUL 29 1980

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

ORIGINAL

In the matter of the Application of
 the San Diego Metropolitan Transit
 Development Board to Construct a
 Street Railroad Across an Existing
 Railroad. }

Application No. 59744
 (Filed June 17, 1980)

O P I N I O N

As part of a project to construct a light-rail transit system from near the Santa Fe (AMTRAK) Depot in Centre City San Diego to San Ysidro, the San Diego Metropolitan Transit Development Board (MTDB) requests authority pursuant to Section 1201 of the Public Utilities Code to construct two street railroad tracks on 13th Street at grade across the tracks of the San Diego and Arizona Eastern Railway Company's (SD&AE) La Mesa Branch Line on Commercial Street and two street railroad tracks on 12th Street at grade across the tracks of SD&AE's "L" Street spur in the City of San Diego, San Diego County.

Applicant is the lead agency for this project pursuant to the California Environmental Quality Act of 1970 (CEQA), Public Resources Code, Section 21000 et seq. After preparation and review of an Environmental Impact Report, applicant approved the project and on November 14, 1978, 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."

The Commission is a responsible agency for this project under CEQA and has independently evaluated and assessed the lead agency's Environmental Impact Report. The site of the proposed project has been inspected by the Commission staff.

Applicant proposes to operate the approximate 16-mile light-rail transit (LRT) system from the east side of the Santa Fe (AMTRAK) Depot in Centre City San Diego, via "C" Street and 12th Avenue, then share usage of SD&AE's main track to San Ysidro. The involved transportation corridor generally follows the alignment of the Interstate 5 freeway.

Applicant desires to commence work on the two track crossings at the earliest possible date so that construction may be completed prior to the holiday season as all project work must be suspended in the San Diego City Centre area during that period and, therefore, the usual thirty-day waiting period should be waived.

Notice of the application was published in the Commission's Daily Calendar on June 19, 1980. No protests have been received. A public hearing is not necessary.

Findings of Fact

1. Applicant should be authorized to construct two street railroad tracks on 13th Street at-grade across the tracks of SD&AE's La Mesa Branch Line at Commercial Street (Existing Street crossing PUC No. 36D-1.3) and two street railroad tracks on 12th Street at-grade across the tracks of SD&AE's "L" Street spur (Existing Street Crossing PUC No. 36-1.4-C) in the City of San Diego, San Diego County.

2. The operation of LRT vehicles and railroad vehicles across the two at grade rail crossings should be governed by the conditions set forth in Resolution RTS-4, dated March 18, 1980, which is attached hereto as Appendix A.

3. Construction and maintenance costs of the two at-grade rail crossings should be borne in accordance with an agreement to be entered into between the parties relative thereto, and a copy of the agreement, together with plans of the crossings approved by the San Diego and Arizona Eastern Railway Company, should be filed with the Commission within 30 days after the date hereof. Should the parties fail to agree, the Commission will apportion the costs of construction and maintenance by further order.

4. Applicant is the lead agency for this project pursuant to the California Environmental Quality Act of 1970, as amended.

5. The Commission is a responsible agency for this project and has independently evaluated and assessed the lead agency's Final Environmental Impact Report.

6. This project will have no significant effect on the environment.

7. Work on the two proposed rail at-grade crossings must commence at the earliest possible date; therefore, the usual thirty-day waiting period should be waived.

Conclusion of Law

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 San Diego Metropolitan Transit Development Board is authorized to construct two street railroad tracks on 13th Street at grade across the tracks of the San Diego and Arizona Eastern Railway Company's La Mesa Branch Line at Commercial Street and two street railroad tracks on 12th Street at grade across the tracks of the San Diego and Arizona Eastern Railway Company's "L" Street spur in the City of San Diego, San Diego County, as set forth in the findings of this decision.

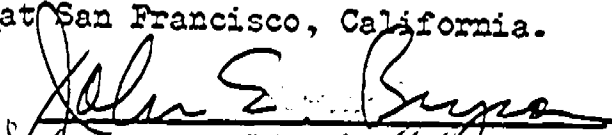
2. The operation of light-rail transit and freight trains across the two at-grade rail crossings shall be subject to the conditions specified in Resolution RTS-4. (Appendix A)

3. Within thirty days after completion, pursuant to this order, applicant shall so advise the Commission in writing.

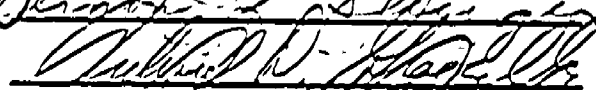
This authorization shall expire if not exercised within one year unless time be extended or if the above conditions are not complied with. Authorization may be revoked or modified if public convenience, necessity or safety so require.

The effective date of this order is the date hereof.

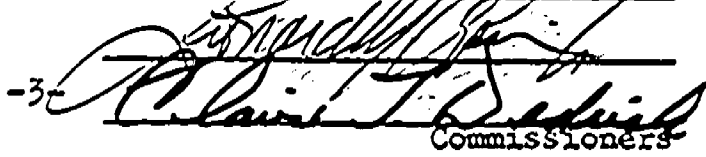
Dated JUL 29 1980 at San Francisco, California.



President



Commissioner



Commissioners

PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Resolution No. RTS-4
Transportation Division

R E S O L U T I O N

AUTHORIZING SPECIFIC OPERATING CONDITIONS TO SAN DIEGO METROPOLITAN TRANSIT DEVELOPMENT BOARD GOVERNING THE OPERATION OF LIGHT-RAIL TRANSIT AND FREIGHT TRAINS ACROSS TWO AT-GRADE RAIL CROSSINGS, SAN DIEGO.

San Diego Metropolitan Transit Development Board (MTDB) is currently building a light-rail transit system between San Diego and San Ysidro. Included in the downtown San Diego portion of the project there will be two at-grade rail crossings of the San Diego and Arizona Eastern (SD&AE) Railway.

By letter of February 1, 1980, MTDB, pursuant to General Order 143, paragraph 5.6, requests authority to operate light-rail transit trains and freight trains across the two at-grade rail crossings under the following low speed operating conditions in lieu of providing interlocking, automatic train protection and automatic train stop.

1. "L" Street and 12th Avenue--SD&AE Railway Industry Spur Track:

Light-rail transit trains, restricted to street speeds (25 mph) by city ordinance, may proceed across the SD&AE Railway industry spur track without stopping. SD&AE Railway switching crews using the industry spur track will be required to stop and flag all traffic on 12th Avenue before proceeding at a speed not exceeding 10 mph across the street and across the light-rail track.

2. Commercial Street and 13th Avenue--SD&AE Railway LaMesa Branch Track:

Light-rail transit trains, restricted to street speeds (25 mph) by city ordinance, may proceed across the SD&AE Railway LaMesa Branch track without stopping, except as noted herein. SD&AE Railway freight trains on the LaMesa Branch may proceed without stopping at a speed not exceeding 10 mph across the light-rail transit tracks.

Protection between the intersecting movements will be provided by installing one signal for each direction of approach, governing transit trains on either track crossings of the SD&AE Railway that would display a signal indication to the transit train operator whenever a freight train was approaching the intersection. When this signal indication is displayed, the transit operator will be required to stop and not proceed until the route is known to be clear.

General Order 143, Section 5.6, reads:

"At-Grade Railroad Crossings:

At-grade crossings of railroad tracks shall be protected by interlocking, ATP, and ATS, except where the light-rail track is in a street right-of-way, the Commission may authorize other protective measures." (Emphasis added)

General Order 143, Section 3, reads in part:

"Definitions:

- 3.3 Automatic Train Protection (ATP)--A system of train control devices including cab or wayside signals that automatically indicate the state of the track ahead and at junctions (interlocking).
- 3.4 Automatic Train Stop (ATS)--A device that will automatically bring the train to a stop should the LRV operator disregard a stop indication or command of the Automatic Train Protection System.
- 3.5 Interlocking--An arrangement of signals and control apparatus so interconnected that functions must succeed each other in a predetermined sequence, thus permitting train movements over route only if non-conflicting conditions exist."

The staff advises that MTDB purchased the SD&AE Railway in 1979 and is now the responsible and controlling entity for the safe operation of its freight trains as well as the forthcoming light-rail transit trains. The proposed operations at the two locations specified are entirely within the right-of-way of city streets and speeds are restricted to 25 mph for light-rail transit trains and 10 mph for freight trains. Therefore, interlocking, ATP and ATS are not necessary. Operations can be conducted safely under MTDB's proposed operating conditions. The staff recommends that the request be granted.

IT IS ORDERED that MTDB is authorized to operate light-rail transit and freight trains across at-grade rail crossings in San Diego as follows:

1. "L" Street and 12th Avenue

Light-rail transit trains may proceed across the SD&AE Railway industry spur track without stopping at a speed not exceeding 25 mph. SD&AE Railway freight crews shall stop and flag all traffic on 12th Avenue before proceeding at a speed not exceeding 10 mph across the street and across the light-rail tracks.

2. Commercial Street and 13th Avenue--SD&AE Railway LaMesa Branch:

Light-rail transit trains may proceed across the SD&AE Railway LaMesa Branch without stopping at a speed not exceeding 25 mph except, whenever signals installed in advance of the SD&AE Railway crossing indicate the approach of a freight train on the LaMesa Branch, light-rail transit trains shall stop and not proceed until the signal indicates "proceed" or the route is known to be clear.

SD&AE freight trains on the LaMesa Branch may proceed without stopping at a speed not exceeding 10 mph across the street and the light-rail transit tracks.

I certify that the foregoing resolution was duly introduced, passed and adopted at a conference of the Public Utilities Commission of the State of California, held on the 18th day of March, 1980, the following Commissioners voting favorably thereon:

JOHN E. BRYSON
President
VERNON L. STURGEON
RICHARD D. GRAVELLE
~~LEONARD M. CRIMES, JR.~~
LEONARD M. CRIMES, JR.
Commissioners


Executive Director