

T/SD

Decision No. 92212

SEP 3 - 1980

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the application of  
SOUTHERN PACIFIC TRANSPORTATION COMPANY  
for an order authorizing the construction  
at grade of an industrial drill track in,  
upon and across Santa Ana Avenue and  
Dahlia Street in the City of Ontario,  
County of San Bernardino, State of  
California.

Application No. 59339  
(Filed December 17, 1979)

O P I N I O N

The Southern Pacific Transportation Company requests authority to construct an industrial drill track at grade across Santa Ana Avenue and Dahlia Street in the Fontana area of San Bernardino County.

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

The proposed drill track will diverge from applicant's main line to serve an industrial area which is being developed by Southern Pacific Industrial Development Company. The area being developed is contiguous to existing industrial developments in the area with many rail-served industries.

Applicant advises that the industry to be served requires rail service at the earliest possible date and, therefore, requests that the usual thirty-day waiting period be waived.

Notice of the application was published in the Commission's Daily Calendar on December 18, 1979. No protests have been received. A public hearing is not necessary.

Findings of Fact

1. Applicant should be authorized to construct an industrial drill track at grade across Santa Ana Avenue and Dahlia Street in the Fontana area of San Bernardino County, at the location and substantially as shown by the plan attached to the application, to be identified as Crossings B-528.2-C (Santa Ana Avenue) and B-528.4-C (Dahlia Street), 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 automatic flashing light-type signals with cantilevers (General Order 75-C).

5. For a period not to exceed one year from the date of this order, protection at each crossing may be two Standard No. 1-R crossing signs (General Order 75-C). The signs should be lettered, both sides, on reflectorized white background. No on-rail vehicle should operate over the crossings unless it is first brought to a stop and traffic on the street protected by a member of the crew, or other competent employee of the railroad, acting as a flagman. The flagman should place a minimum of two fuseses on each side of the track prior to entry of the on-rail vehicle into the crossings.

6. Written instructions should be issued by the railroad to trainmen, operating over the crossings, to comply with the flagging instructions. A copy of the instructions should be filed with the Commission within thirty days after installation of the crossings. Suitable signs should be installed on both sides of Santa Ana Avenue and Dahlia Street, calling the attention of trainmen to the flagging instructions. The flagging procedures outlined herein should remain in full force until the required automatic protection is installed and operative.

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

8. Maintenance of the crossings should conform to General Order 72-B. Maintenance cost of the automatic protection should be borne by the applicant.

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

10. It can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment.

11. The industry to be served requires rail service 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 Southern Pacific Transportation Company is authorized to construct an industrial drill track at grade across Santa Ana Avenue and across Dahlia Street in the Fontana area of San Bernardino 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 is the date  
hereof.

Dated SEP 3 - 1980, at San Francisco,  
California.

John E. Cuyper  
President  
Richard W. Howell  
Charles J. Davis  
Arnold J. Lewis  
Commissioners