

Decision 99-12-045 December 16,1999

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of the Ventura County)	
Transportation Commission to restore its rail grade)	
crossings at Main Street, Center Street and Orchard)	Application 99-10-011
Street, all public streets in the Community of Piru,)	(Filed October 5, 1999)
<u>County of Ventura.</u>)	

OPINION

The Ventura County Transportation Commission (VCTC) requests authority to reconstruct its tracks on the Santa Paula Branch Line across Main, Center and Orchard Streets, all public streets in the Community of Piru, Ventura County.

The reconstruction project is a restoration, in place of previously removed grade crossings; there will be no alteration to current roadway surface or grades. The proposed crossing is needed to provide improved rail access to the Community of Piru in Ventura County. Additionally, the rail facilities and the services provided thereon are an integral part of the economic development of the community and its recovery from the Northridge earthquake.

VCTC is the lead agency for this project under the California Environmental Quality Act of 1970 (CEQA), as amended, Public Resources (PR) Code Sections 21000, et seq. VCTC filed a Notice of Exemption with the Ventura County Clerk on August 6, 1999. County has determined that this project, the replacement or reconstruction of three at-grade crossings and approaches, involving negligible or no expansion of capacity, is statutorily exempt from the reporting requirements of CEQA under PR Code Section 15302 (c).

The Commission is a responsible agency for this project under CEQA and has reviewed and considered VCTC's environmental documentation. The site of the project has been inspected by the Commission's Rail Safety and Carrier Division staff – Engineering

Section. Staff examined the need for and the safety of rehabilitating three at-grade rail crossings and approaches at Main Street, Center Street, and Orchard Drive, and recommends that the construction project be approved.

The application was found to be in compliance under the Commission's filing requirements, including Rule 40 of the Rules of Practice and Procedure. A location map and details from the project plans are shown in Appendix A.

In Resolution ALJ-176-3025, dated October 21, 1999, and published on the Commission Daily Calendar on October 26, 1999, the Commission preliminarily categorized this application as ratesetting, and preliminarily determined that hearings were not necessary. No protests have been received. The Commission's Rail Safety and Carriers Division recommends that this application be granted. Given these developments, public hearing is not necessary, and it is not necessary to disturb the preliminary determinations made in Resolution ALJ 176-3025.

This is an uncontested matter in which the decision grants the relief requested. Accordingly, pursuant to Public Utilities Code Section 311(g)(2), the otherwise applicable 30-day period for public review and comment is being waved.

Findings of Fact

1. Notice of the application was published in the Commission Daily Calendar on October 20, 1999. No protests have been received. A public hearing is not necessary.

2. VCTC requests authority, under Public Utilities Code Sections 1201-1205, to reconstruct its tracks on the Santa Paula Branch Line across Main, Center and Orchard Streets, all public streets in the Community of Piru, Ventura County.

3. Public convenience and necessity require the rehabilitation and reconstruction of the three at-grade rail crossings and approaches.

4. Public safety requires that the protection to be provided at each of the crossings is two Standard No. 9 automatic gate-type signals with flashing lights (General Order (GO) 75-C).

4. VCTC is the lead agency for this project under CEQA as amended.

5. The Commission is a responsible agency for this project and has reviewed and considered the lead agency's Notice of Exemption.

Conclusion of Law

The application should be granted as set forth in the following order.

ORDER

IT IS ORDERED that:

1. Ventura County Transportation Commission (VCTC) requests authority to reconstruct its tracks on the Santa Paula Branch Line, across Main, Center and Orchard Streets, in the Community of Piru, Ventura County, at the location and substantially as shown by the plans attached to the application and Appendix A of this order.
2. The grade crossings are to be identified as: Main Street Crossing (BE-431.6); Center Street Crossing (BE-431.8), and Orchard Street Crossing (BE-432.0).
3. Clearances shall be in accordance with General Order (GO) 26-D. Walkways shall conform to GO 118.
4. Protection at each of the crossing shall be two Standard No. 9 automatic gate-type signals with flashing lights (GO 75-C).
5. Construction expense of the crossing and installation cost of the automatic protection shall be borne by VCTC.
6. Maintenance of the crossing shall conform to GO 72-B. Maintenance cost of the automatic protection shall be borne by VCTC.
7. Within 30 days after completion of the work under this order, VCTC shall notify the Commission in writing that the authorized work was completed.
8. This authorization shall expire if not exercised within two years unless time is extended or if the above conditions are not complied with. Authorization may be revoked or modified if public convenience, necessity, or safety so require.
9. The application is granted as set forth above.

10. Application 99-10-011 is closed.

This order is effective 30 days from today.

Dated December 16, 1999 at San Francisco, California.

RICHARD A. BILAS

President

HENRY M. DUQUE

JOSIAH L. NEEPER

JOEL Z. HYATT

CARL W. WOOD

Commissioners







