

PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

RAIL SAFETY & CARRIERS DIVISION
Railroad Safety Branch
Railroad Special Projects Section

RESOLUTION SR-89
April 23, 1997
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R E S O L U T I O N

RESOLUTION SR-89. APPORTIONING RAILROAD CROSSING PROTECTION MAINTENANCE COSTS BETWEEN THE RAILROADS AND THE CITIES AND COUNTIES. (SUPPLEMENTAL FOR THE NILES CANYON RAILWAY, UNION PACIFIC RAILROAD COMPANY AND MCCLLOUD RAILWAY COMPANY)

SUMMARY

Public Utilities (PU) Code Section 1202.2 requires the Commission to apportion between the railroads and the affected public agencies the cost of maintenance of automatic grade-crossing protection constructed or altered after October 1, 1965.

BACKGROUND

PU Code Section 1231.1 requires the Department of Transportation (Caltrans) to set aside in its annual budget a minimum of \$1,000,000 into the Automatic Grade-Crossing Protection Maintenance Fund for allocation to the Public Utilities Commission for the purpose of paying to railroads the cities' and counties' share of maintaining warning devices. The maximum allocation to this fund is determined annually by the California Transportation Commission. The current allocation for this apportionment is \$4,000,000.

DISCUSSION

By Resolution SR-88 dated March 18, 1997, the Commission approved crossings for inclusion in this year's Automatic Grade-Crossing Protection Maintenance Fund program. That Resolution reflected all eligible crossings for which proper and correct filings were received by the announced filing deadline. It has been brought to our attention the crossing listed on Appendix A for The Niles Canyon Railway (Pacific Locomotive Association) has been acquired from Southern Pacific Transportation Company. Two crossings on Union Pacific Railroad Company, and also a crossing on McCloud Railway Company were inadvertently missed.

The percent apportionment for the public agency shown on Attachment A will be applied to the maintenance bill submitted by the railroads for those crossings and will be prorated to the amount made available from the Automatic Grade-Crossing Protection Maintenance Fund. This resolution reflects the corrected data submitted on behalf of the named railroads and adds the attached crossings to those approved by Sr-88.

FINDINGS


We find that the apportionment listed in Attachment A is reasonable.

THEREFORE, IT IS ORDERED that:

The total maintenance costs for each crossing listed in Attachment A shall be divided between the railroads and the cities/counties as shown in the column headed "Maintenance Apportioned". The liability assigned to cities/counties is limited to funds set aside in the Automatic Grade-Crossing Protection Maintenance Fund for allocation by the Commission pursuant to PU Code Section 1231.1.

This resolution is effective today.

I hereby certify that this Resolution was adopted by the Public Utilities Commission at its regular meeting on APRIL 23, 1997. The following Commissioners approved it:


WESLEY M. FRANKLIN
Executive Director

P. GREGORY CONLON
President
JESSIE J. KNIGHT, JR.
HENRY M. DUQUE
JOSIAH L. NEEPER
RICHARD A. BILAS
Commissioners

RESOLUTION APPORTIONING MAINTENANCE COSTS OF RAILROAD CROSSING PROTECTION
BETWEEN THE RAILROADS AND CITIES AND COUNTIES

: US DOT : : Xing ID: Line : Milepost:	: RR : : and : : Crossing : : Name :	: : : : : : : :	: : : : : : : :	: : : : : : : :	: Protection :				: Maintenance :	
					: Maintenance : : Apportioned to : : Public Agency :	: Former RR : : or Prior : : No. :	: Former RR : : or improved: : : No. :	: Type : : No. :	: Type : : No. :	: R.R. Co. : : Agency :
<u>Union Pacific Railroad Company (now SP & UP)</u>										
749586G	D	6.75	Franklin St.	Oakland	2	#8	3	#9	50.0	50.0
768230A	EC	120.3	Pacific St. (Washington St.)	Santa Cruz	1	#3	1	#8A	50.0	50.0
<u>Niles Canyon Railway (Pacific Locomotive Association, Inc.)</u>										
749797D	91	35.62	Kilkare Rd.	Alameda Co.	2	#1	2	#9	50.0	50.0
<u>McCloud Railway Company</u>										
867942Y	102B	19.5	SR 89 (Bartle St.)	Caltrans	2	#8	2	#9A	50.0	50.0