

PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Rail Safety and Carriers Division
Rail Engineering Safety Branch
Rail Crossings Projects Section

Resolution SX-23
March 18, 1999

RESOLUTION

**RESOLUTION SX-23. APPORTIONING RAILROAD CROSSING
PROTECTION MAINTENANCE COSTS BETWEEN THE RAILROADS
AND THE CITIES AND COUNTIES.**

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 allocation for the current fiscal year is \$4,250,000.

Discussion

The Commission has received requests from railroads for the apportionment of the cost of maintaining warning devices for the automatic grade-crossing protection installations as shown in Attachment A. For the crossings that were improved pursuant to the Federal Grade-Crossing Improvement Program, the maintenance costs are

apportioned 50/50 between the railroad and the public agency as prescribed in the Commission decision authorizing the crossings. The percent apportionment for the public agencies shown in Attachment A will be applied to the maintenance bills submitted by the railroads for the individual crossings and will be prorated to the amount made available from the Automatic Grade-Crossing Protection Maintenance Fund.

Findings

We find that the apportionments listed in Attachment A are reasonable.

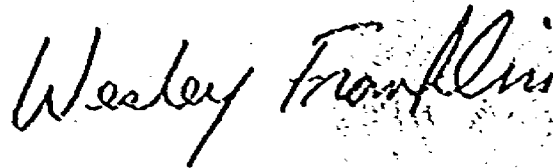
Since this is an uncontested matter in which the resolution grants the relief requested, the 30-day period for public review and comment otherwise applicable pursuant to PU Code Section 311 (g) (2) is being waived.

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 and counties as shown in the column headed "Maintenance Apportioned". The liability assigned to cities and 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 March 18, 1999. The following Commissioners approved it:



WESLEY M. FRANKLIN
Executive Director

RICHARD A. BILAS
President
HENRY M. DUQUE
JOSIAH L. NEEPER
Commissioners

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

Union Pacific Railroad Company

<u>US DOT/Xing ID</u>	<u>RR/Line</u>	<u>Milepost</u>	<u>Crossing Name</u>	<u>Maintenance Apportioned to Public Agency</u>	<u>Former RR or Prior Protection No.</u>	<u>Type</u>	<u>Former RR or Improved Protection No.</u>	<u>Type</u>	<u>Maintenance Apportioned - % Railroad</u>	<u>Public Agy.</u>
747006G	BB	474.20	Swarthout Canyon Road	San Bernardino Co.	2	#1R	2	#9	50	50
750733N	BB	452.10	Caughlin Road	San Bernardino Co.	2	#1R	2	#9	50	50

Napa Valley Wine Train

<u>US DOT/Xing ID</u>	<u>RR/Line</u>	<u>Milepost</u>	<u>Crossing Name</u>	<u>Maintenance Apportioned to Public Agency</u>	<u>Former RR or Prior Protection No.</u>	<u>Type</u>	<u>Former RR or Improved Protection No.</u>	<u>Type</u>	<u>Maintenance Apportioned - % Railroad</u>	<u>Public Agy.</u>
751356F	87	67.50	Streblov Drive	City of Napa	2	#8	2	#9	50	50
751378F	87	73.01	Wine Country Avenue	City of Napa	1	#1R	1	#9A #9	50 50	50 50

North County Transit District

<u>US DOT/Xing ID</u>	<u>RR/Line</u>	<u>Milepost</u>	<u>Crossing Name</u>	<u>Maintenance Apportioned to Public Agency</u>	<u>Former RR or Prior Protection</u>		<u>Former RR or Improved Protection</u>		<u>Maintenance Apportioned - %</u>	
					<u>No.</u>	<u>Type</u>	<u>No.</u>	<u>Type</u>	<u>Railroad</u>	<u>Public Agy.</u>
027578C	106E	16.5	San Marcos Blvd.	San Marcos	None		3	#9A		100
							2	#9		100
027595T	106E	20.4	Hale Avenue	Escondido	2	#8	2	#8	50	50
							3	#9A	50	50

Burlington Northern Santa Fe Railway Company

<u>US DOT/Xing ID</u>	<u>RR/Line</u>	<u>Milepost</u>	<u>Crossing Name</u>	<u>Maintenance Apportioned to Public Agency</u>	<u>Former RR or Prior Protection</u>		<u>Former RR or Improved Protection</u>		<u>Maintenance Apportioned - %</u>	
					<u>No.</u>	<u>Type</u>	<u>No.</u>	<u>Type</u>	<u>Railroad</u>	<u>Public Agy.</u>
029744S	2	1155.50-C	Harbor Street	Pittsburg	2	#1R	2	#9A	50	50

Central California Traction Company

<u>US DOT/Xing ID</u>	<u>RR/Line</u>	<u>Milepost</u>	<u>Crossing Name</u>	<u>Maintenance Apportioned to Public Agency</u>	<u>Former RR or Prior Protection</u>		<u>Former RR or Improved Protection</u>		<u>Maintenance Apportioned - %</u>	
					<u>No.</u>	<u>Type</u>	<u>No.</u>	<u>Type</u>	<u>Railroad</u>	<u>Public Agy.</u>
917613P	61B	0.9-C	Thurman Street	Lodi		New Xing	2	#9		100
842873W	61	24.4	State Route 104	Sacramento Co.	2	#8A	2	#9A	50	50

Yreka Western Railroad Company

<u>US DOT/Xing ID</u>	<u>RR/Line</u>	<u>Milepost</u>	<u>Crossing Name</u>	<u>Maintenance Apportioned to Public Agency</u>	<u>Former RR or Prior Protection No.</u>	<u>Former RR or Improved Protection Type</u>	<u>Former RR or Improved Protection No.</u>	<u>Former RR or Improved Protection Type</u>	<u>Maintenance Apportioned - % Railroad</u>	<u>Maintenance Apportioned - % Public Agy.</u>
841053V	47	5.0	State Route 3	Caltrans	2	#1R	2	#9	50	50

San Joaquin Valley Railroad Company

<u>US DOT/Xing ID</u>	<u>RR/Line</u>	<u>Milepost</u>	<u>Crossing Name</u>	<u>Maintenance Apportioned to Public Agency</u>	<u>Former RR or Prior Protection No.</u>	<u>Former RR or Improved Protection Type</u>	<u>Former RR or Improved Protection No.</u>	<u>Former RR or Improved Protection Type</u>	<u>Maintenance Apportioned - % Railroad</u>	<u>Maintenance Apportioned - % Public Agy.</u>
756853V	103C	277.2	South Avenue	Fresno County	2	#1R	2	#9	50	50

APPENDIX D
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The Sea Ranch Water Company

ADOPTED QUANTITIES
Test Year 1999

Income Tax Calculations:

Line No.	Item	State Tax	Federal Tax
1.	Operating Revenue	\$468,826	\$468,826
2.	O & M Expenses	406,835	406,835
3.	Taxes Other Than Income	14,143	14,143
4.	Depreciation Expense	47,048	47,048
5.	Taxable Income for State Tax	800	
6.	State Tax	800	
7.	Taxable Income for Federal Tax		0
8.	Federal Income Tax		0
9.	Total Income Tax		\$ 800

Note: Minimum California Franchise Tax is \$800.

(End of Appendix D)