

PUBLIC UTILITIES COMMISSION

180 PROMENADE CIRCLE, SUITE 115
SACRAMENTO, CA 95834



January 26, 2011

File Number: G.10-12-011

John Stilley
Manager Public Projects
BNSF Railway Company
740 East Carnegie Drive
San Bernardino, CA 92408

Re: General Order 88-B Request for Authority to Alter the Jack Tone Road Highway-Rail Crossing, CPUC Crossing No. 002-1112.20-A, DOT No. 028798U, in San Joaquin County

Dear Mr. Stilley:

This refers to your letter dated December 16, 2010 and received by us on December 21, 2010 requesting authorization by the BNSF Railway Company (BNSF), pursuant to Commission General Order (GO) 88-B, to alter a grade separated highway-rail crossing in the County of San Joaquin (County). The crossing is identified as Jack Tone Road Highway-Rail Crossing, CPUC Crossing No. 002-1112.20-A, DOT No. 028798U.

The crossing is currently grade separated with Jack Tone Road going over the BNSF tracks. BNSF runs approximately 21 trains per day at a maximum speed of 55 mph and Amtrak runs approximately 12 trains per day at a maximum speed of 79 mph over the crossing.

The proposed alteration as indicated in the request letter and/or shown in the attachments shall consist of:

- Adding a second track.

BNSF states in its GO88-B request letter that "The public already benefited from the new Grade Separation."

Staff has investigated the BNSF's request, and finds it adequately addresses compliance and safety. As BNSF and the County are in agreement as to the design and apportionments of the cost under the provisions of GO 88-B, you may proceed with the improvements as described in your request letter and attachments, and summarized above.

All parties shall comply with all applicable rules, including Commission General Orders.

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This project is categorically exempt from the requirements of the California Environment Quality Act of 1970, as amended [California Public Resources Code 21084].

This authorization shall expire if the above conditions are not complied with or if the work is not completed within three years of the date of this letter. Upon written request to this office, the time to complete the project may be extended. Any written request for a time extension must include concurrence letters by involved parties in support of the time extension. If an extension is requested, the Commission's Rail Crossings Engineering Section (RCES) may reevaluate the crossing prior to granting an extension.

Within 30 days after completion of this project, BNSF shall notify RCES that the authorized work is completed, by submitting a completed Commission Standard Form G titled *Report of Changes at Highway Grade Crossings and Separations*. Form G requirements and forms can be obtained at the CPUC web site Form G page at: <http://www.cpuc.ca.gov/static/transportation/crossings/formg.htm> This report may be submitted electronically to rces@cpuc.ca.gov as outlined on the web page.

If you have any questions, please contact David Stewart at (916) 928-2515 or atm@cpuc.ca.gov.

Sincerely,

A handwritten signature in black ink that reads "Daren Gilbert". The signature is written in a cursive, slightly slanted style.

Daren Gilbert, Supervisor
Rail Crossings Engineering Section
Consumer Protection and Safety Division

C: Firoz Vohra, County of San Joaquin