

PUBLIC UTILITIES COMMISSION

180 Promenade Circle, Suite 115

SACRAMENTO, CA 95834-2939



May 20, 2011

File Number: G.11-04-012

Benjamin Scharf
Senior Council
Santa Clara Valley Transportation Authority
3331 North First Street
San Jose, CA 95134-1927

Re: General Order 88-B Request for Authority to Alter the Capitol Avenue and McKee Road At-Grade Highway-Rail Crossing, CPUC Crossing No. 82C-12.00, in the City of San Jose, County of Santa Clara

Dear Mr. Scharf:

This refers to your letter dated April 11, 2011 and received by us on April 13, 2011 requesting authorization to amend General Order (GO) 88-B request G.09-02-005. G.09-02-005 was authorized by the California Public Utilities Commission (Commission) on February 27, 2009 to modify an at-grade highway-rail crossing of the Santa Clara Valley Transportation Authority (VTA) light rail track in the City of San Jose (City), County of Santa Clara (County). The crossing is located at Capitol Avenue and McKee Road and is identified as CPUC Crossing Number 82C-12.00.

Since the GO 88-B authorization G.09-02-005 that you requested to be amended has already expired, we are issuing the authorization for the proposed alterations as indicated in the request letter and/or shown on the plans via this GO 88-B authorization G.11-04-012.

The VTA alignment is median running along Capitol Avenue. The Capitol Avenue and McKee Road crossing is one block east of the State Route 680/McKee Road on/off ramps. The crossing is currently a double track at-grade crossing within the Capitol Avenue and McKee Road intersection. McKee Road is a ten lane roadway with two left turn lanes to Capitol Avenue and three through lanes traveling through the crossing on each approach. Northbound Capitol Avenue has two left turn lanes through the crossing to westbound McKee Road. Southbound Capitol Avenue has one left turn lane which passes through the crossing to eastbound McKee Road.

The project authorized under G.09-02-005 was part of VTA's Light Rail Left Hand Turn and Track Intrusion Project and completed around February 15, 2010. Following completion of the project, VTA observed traffic operations at the crossing and determined minor alterations would be beneficial to the safety of the general public. VTA states in the amendment request letter that "a small number of additional markers would improve driver safety at the crossing."

The proposed alterations as indicated in the request letter and/or shown on the plans shall consist of:

- Installation of five additional Type Q markers in the southeast quadrant, to delineate the light rail alignment.
- Painting the median curb in the southeast quadrant white.

Staff has investigated the request by VTA, and finds it adequately addresses compliance and safety. As VTA and the City 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.

Temporary traffic controls shall be provided in compliance with Section 10A.05, Temporary Traffic Control Zones, of the California Manual on Uniform Traffic Control Devices (CA MUTCD), published by the California Department of Transportation.

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

This project is categorically exempt from the requirements of the California Environment Quality Act of 1970, as amended.

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, VTA 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/formg>. This report may be submitted electronically to rces@cpuc.ca.gov as outlined on the web page.

If you have any questions, please contact Felix Ko at (415) 703-3722 or fko@cpuc.ca.gov.

Sincerely,



Daren Gilbert, Manager
Rail Transit and Crossings Branch
Consumer Protection and Safety Division

C: Manuel Cota, City of San Jose
Mark S. Robinson, Santa Clara Valley Transportation Authority