

PUBLIC UTILITIES COMMISSION

320 W 4TH STREET, SUITE 500
LOS ANGELES, CA 90013



December 12, 2013

File Number: XREQ 2013010004 (G.13-01-009)
Tustin Avenue
Cities of Anaheim and Placentia, Orange County

Andrew Muth
Consultant Project Manager
Orange County Transportation Authority
550 South Main Street,
Orange, CA 92863

SENT VIA EMAIL

Re: Request for Authority to Modify the Tustin Avenue At-Grade Rail Crossing, Identified as CPUC Crossing No. 002B-41.50 and DOT No. 026571U in the Cities of Anaheim and Placentia, Orange County.

Dear Mr. Muth:

This refers to your letter dated November 19, 2013, received by us on November 25, 2013, requesting to amend the California Public Utilities Commission (Commission) General Order (GO) 88-B authorization under G.13-01-009 dated February 20, 2013. It authorized the Orange County Transportation Authority (OCTA) to modify the at-grade Tustin Avenue highway rail crossing (crossing) of BNSF Railway Company (BNSF) Mainline tracks in the Cities of Anaheim and Placentia (Cities), Orange County. The crossing is identified as CPUC No. 002B-41.50 and DOT No. 026571U.

Commission's Rail Crossings Engineering Section (RCES) Staff originally authorized modifications to the crossing as part of a grade-separated bridge structure project over the BNSF tracks. OCTA is requesting authorization for a reduced temporary vertical clearance of 21 feet 6 inches during construction, therefore requiring a variance from Commission GO 26-D. GO 26-D, Section 2.1 requires a minimum vertical clearance of 22 feet 6 inches from the top of the rail to the bottom of the overhead structure. The permanent vertical clearance will be 24 feet.

BNSF provided concurrence to the proposed temporary vertical clearance by an e-mail dated June 11, 2013.

RCES Staff investigated the request filed by OCTA, and finds it adequately addresses compliance and safety. As OCTA, Cities, and BNSF are all in agreement, the modifications are authorized as summarized below:

Pursuant to Commission Resolution SX-76 and Section 16.2 of General Order (GO) 26-D, OCTA is granted a temporary deviation from GO 26-D, Section 2.1 and is authorized a temporary vertical clearance of not less than 21 feet 6 inches from the top of rail, during the temporary construction period for the structure.

The following requirements shall apply to the temporary deviation to GO 26-D, Section 2.1:

1. OCTA shall notify BNSF and the Los Angeles office of the Commission's Safety and Enforcement Division – Rail Operations Safety Branch (ROSB) and Rail Crossings Engineering Section (RCES) at least 15 days but not more than 30 days in advance of the date when OCTA will create the temporary reduced vertical clearance. For the CPUC, this notification may be submitted electronically to rces@cpuc.ca.gov.
2. BNSF shall issue instructions to all individuals responsible for operation of trains over these tracks of the temporary reduced vertical clearance of 21 feet 6 inches, and shall submit the instructions in advance of the date when OCTA will create the temporary reduced vertical clearance to the Los Angeles office of ROSB and RCES. This notification may be submitted electronically to rces@cpuc.ca.gov.

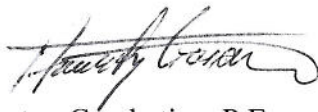
In all other respects to the original authorization for improvements to the crossing dated February 20, 2013, including its expiration date, remain in full force and affect.

This letter will serve as a reminder that within 30 days after completion of this project, OCTA 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/PUC/safety/Rail/Crossings/formg.htm>. This report may be submitted electronically to rces@cpuc.ca.gov as outlined on the web page.

BNSF shall submit an updated Federal Railroad Administration (FRA) inventory form to the FRA, reflecting the changes. RCES Staff requests a concurrent copy of the updated inventory form be submitted to rces@cpuc.ca.gov.

If you have any questions, please contact Chi Cheung To at (213) 576-5766 or cct@cpuc.ca.gov.

Sincerely,



Anton Garabetian, P.E.
Program and Project Supervisor
Rail Crossings Engineering Section
Safety and Enforcement Division

Attachment: G.13-01-009

cc: **(SENT VIA EMAIL)**

Cassim Mamoon, Director of Engineering, Amtrak
Melvin Thomas, Public Project Manager, BNSF
Naresh Patel, Public Projects Engineer, SCRRA
Ross Lew, Program Manager, OCTA
Rose Casey, Highway Programs Director, OCTA
Roy Stephenson, Project Manager, City of Placentia
Rudy Emami, Capital Programs Manager, City of Anaheim