

## PUBLIC UTILITIES COMMISSION

320 W. 4<sup>th</sup> Street, Suite 500  
Los Angeles, CA 90013



May 31, 2018

File Number: XREQ 2018040008  
Tower Road  
City of Merced

Taylor Smith  
Manager of Public Projects  
BNSF Railway Company  
2454 Occidental Avenue, S, Suite 2-D  
Seattle, WA 98134

**SENT VIA EMAIL**

**Re: General Order 88-B Request for Authority to Alter the Tower Road Crossing, CPUC Crossing No. 002-1052.00 and DOT No. 028660T, in the City of Merced, Merced County.**

Dear Mr. Smith:

This refers to your letter received by us via email on April 19, 2018, requesting authorization, pursuant to California Public Utilities Commission (Commission) General Order (GO) 88-B, to alter the Tower Road at-grade highway-rail crossing (crossing) of the BNSF Railway Company (BNSF) track in the City of Merced (City), Merced County. The crossing is identified as CPUC Crossing No. 002-1052.00 and DOT Crossing No. 028660T.

Tower Road has an average daily traffic of 368 vehicles. The crossing is frequented by 32 freight and 14 Amtrak passenger trains per day.

The alterations, as indicated in the BNSF's request letter and/or shown on the plans, shall consist of:

- Installing a 2<sup>nd</sup> mainline track south of the existing track;
- Relocating the Commission Standard 9 (Flashing Light Signal Assembly with Automatic Gate Arm) warning device in the southeast quadrant of the crossing;
- Replacing the existing Commission Standard 9 warning device in the northwest quadrant of the crossing with a new Commission Standard 9 warning device;
- Installing new pavement;
- Installing AC dikes in the northwest and southeast quadrants;
- Installing a concrete crossing panel crossing surface for the new mainline track;
- Removing the existing signal house and installing a new signal house; and
- Applying California Manual on Uniform Traffic Control Devices (CAMUTCD) compliant signage and pavement markings, including W10-2 "PARALLEL TRACK AT 4 WAY INTERSECTION" advance warning signs, and W48 "2 TRACKS" advance warning signs as shown on the plans.

The Commission's Rail Crossings and Engineering Branch (RCEB) staff has investigated the request by BNSF, and finds it adequately addresses compliance and safety. As BNSF and the City (Parties) are in agreement as to the design and apportionments of the cost under the provisions of GO 88-B, BNSF may proceed with the improvements as described in its request letter and attachments, and summarized above. BNSF and the City must complete all the proposed alterations mentioned above for RCEB to consider this GO 88-B application closed.

BNSF must ensure that Emergency Notification Signs are installed to comply with Title 49 Code of Federal Regulations (CFR) Section 234.309. All Parties shall comply with all applicable rules, including other Commission General Orders and the latest version of the CAMUTCD. Temporary traffic controls shall be in compliance with the latest version of the CAMUTCD. This project is categorically exempt from the requirements of the California Environment Quality Act of 1970, as amended [California Public Resources Code 21084].

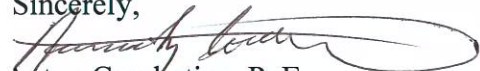
This authorization shall expire if the above conditions are not complied with or if the work is not completed within three years of the date of this letter. Upon written request to this office, the time to complete the project may be extended. A written request for a time extension must include concurrence letters by interested Parties in support of the time extension. If an extension is requested, RCEB may reevaluate the crossing prior to granting an extension.

Within 30 days after completion of this project, BNSF shall notify RCEB that the authorized work is completed by submitting a completed Commission Standard Form G. Form G requirements and forms can be obtained at the CPUC web site at <http://www.cpuc.ca.gov/crossings/>. This report may be submitted electronically to [rceb@cpuc.ca.gov](mailto:rceb@cpuc.ca.gov).

At the conclusion of the project, BNSF should submit an updated electronic inventory form (Form F6180.71) to the Federal Railroad Administration, reflecting the changes. 49 CFR 234 Section 234.409 requires the railroads to submit periodic crossing inventory updates a minimum of once every three years. The Commission requests a concurrent copy of the updated inventory form be submitted to [rceb@cpuc.ca.gov](mailto:rceb@cpuc.ca.gov).

If you have any questions, please contact Marvin Kennix at (916) 928-3809 or email at [mlk@cpuc.ca.gov](mailto:mlk@cpuc.ca.gov).

Sincerely,



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

Cc (VIA EMAIL) Stephen C. Son, City