

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of Storage of Union)
Pacific Railroad cars on tracks)
at Garrett Siding, Lancaster County,)
Nebraska.)

Application No. R-123

ORDER

Entered: October 21, 1986

BY THE COMMISSION:

OPINION AND FINDINGS

This matter came on for consideration upon the informal complaint filed October 17, 1986 by Dean E. Mays, supervisor of county roads in Lancaster County, Nebraska, concerning the storage of railroad cars near the intersections of Waverly Road and N.W. 40th Street with Garrett Siding in Lancaster County. Mr. Mays complained that the Union Pacific Railroad stores cars on Garrett Siding which intersects Waverly Road in such a manner so as to obstruct the vision of motor grader operators who must cross the railroad right of way frequently in order to maintain the roads.

Commission Inspector Charles Faulder investigated Mr. Mays' complaint and reported that the rail cars have in fact been parked so as to create safety hazards. He recommended that rail cars be parked no closer to the crossing than 350 feet on the north siding and no closer than 300 feet on the south siding.

From the information before it, the commission is of the opinion and finds that pursuant to Section 004.09A, Chapter 4 of the Rules and Regulations of the Nebraska Public Service Commission, the Union Pacific Railroad should be directed to store or park railroad cars no closer than 350 feet on the north side and 300 feet on the south side of the grade crossing where the Garrett Siding intersects Waverly Road just east of N.W. 40th Street in Lancaster County, Nebraska.

ORDER

IT IS THEREFORE, ORDERED, by the Nebraska Public Service Commission that the Union Pacific Railroad be, and it is hereby, ordered to store and park railroad cars in accordance with the foregoing findings.

MADE AND ENTERED at Lincoln, Nebraska this 21st day of October, 1986.

NEBRASKA PUBLIC SERVICE COMMISSION

Bob Brayton

Chairman

COMMISSIONERS CONCURRING:

//s//Bob Brayton
//s//Duane D. Gay
//s//James F. Munnelly
//s//Eric Rasmussen
//s//Harold D. Simpson

ATTEST:

Donald Adams
Executive Secretary