

Decision No. 26482

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the Matter of the Application)
of PACIFIC ELECTRIC RAILWAY COM-)
PANY for authority to reconstruct)
its tracks in the city of Newport)
Beach between the two roadways of)
Central Avenue and across certain)
streets.)

APPLICATION NO. 15124.

BY THE COMMISSION:

ORIGINAL

O R D E R

Pacific Electric Railway Company, a corporation, filed the above entitled application with this Commission on the 15th day of October, 1928, asking for authority to reconstruct its tracks in the city of Newport Beach between the two roadways of Central Avenue and across certain streets.

The proposed changes are being made at the request of the City of Newport Beach. It appears to this Commission that the present proceeding is not one in which a public hearing is necessary; that the crossings involved have been used by the public for a number of years; that the proposed changes are in the public interest, and that this application should be granted, subject to the conditions hereinafter specified; therefore,

IT IS HEREBY ORDERED that permission and authority be and it is hereby granted to Pacific Electric Railway Company to reconstruct its single-track main Los Angeles - Newport

Beach line at grade across the following public crossings in the city of Newport Beach:

<u>Name of Street</u>	<u>Crossing No.</u>
Alvarado Street	6E-39.26
Coronado Street	6E-39.32
Adams Street	6E-39.44
Palm Street	6E-39.49
Washington Street	6E-39.54
Main Street	6E-39.59
A Street	6E-39.63

at the locations and in the manner shown in red lines on the blue print map C. E. H. 10815-b attached to the application, subject to the following conditions:

(1) The cost of constructing and maintaining said crossings shall be borne in accordance with an agreement to be hereafter entered into by the interested parties, a certified copy of which shall be filed with this Commission within one hundred and twenty (120) days from the date hereof. In the event that the interested parties fail to reach such an agreement, the commission shall apportion the costs by supplemental order.

(2) The crossings shall be constructed of a width and in the manner shown on blue print map C. E. H. 10815-b attached to the application, with grades of approach not greater than three (3) per cent, and shall be constructed equal or superior to Standard No. 2 as specified in General Order No. 72 of this Commission.

(3) The crossings shall be protected by Standard No. 2 crossing signs, installed in lieu of Standard No. 1 crossing signs, as specified in General Order No. 75 of this Commission, except that in the event boulevard stop signs are installed, requiring vehicular traffic to stop before entering Central Avenue at any of said crossings, the Standard No. 2 signs may be removed.

(4) The tracks shown in yellow on blue print map C. E. H. 10815-b attached to the application shall be removed and the street repaired to conform to the remainder thereof.

(5) The curbs separating the traveled portion of Central Avenue from the open right-of-way of Pacific Electric Railway Company shall be installed as shown by blue print map C. E. H. 10815-b, in lieu of the provisions of General Order No. 26-C of this Commission.

(6) Applicant shall, within thirty (30) days thereafter, notify this Commission, in writing, of the completion of the relocation of said crossings.

(7) If said crossings shall not have been relocated within one year from the date of this order, the authorization herein granted shall then lapse and become void, unless further time is granted by subsequent order.

(8) The Commission reserves the right to make such further orders relative to the location, construction, operation, maintenance and protection of said crossings as to it may seem right and proper, and to revoke its permission if, in its judgment, the public convenience

and necessity demand such action.

(9) Nothing in this order shall be construed as granting any special authority for the sale or encumbrance of any operative property of applicant, as required under the provisions of Section 51 (a) of the Public Utilities Act.

The authority herein granted shall become effective on the date hereof.

Dated at San Francisco, California, this 16th day of November, 1928.

C. S. Seaver

Wm. J. Curran

W. J. Curran
Commissioners.