

Decision No. 20840

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the Matter of Application of
 The People of the State of Cali-
 fornia, acting by and through the
 Department of Public Works, Divi-
 sion of Highways, for an order
 authorizing reconstruction of the
 existing subway under the tracks
 of the Pacific Electric Railway
 near Upland, San Bernardino,
 California.

ORIGINAL

Application No. 15264

BY THE COMMISSION:

ORDER

The People of the State of California, acting by and through the Department of Public Works, Division of Highways, filed the above entitled application with this Commission on the 11th day of December, 1928, asking for authority to widen and improve an existing public highway under the tracks of the Pacific Electric Railway Company near Upland as hereinafter set forth. Said Pacific Electric Railway Company has signified, by letter, that it has no objection to the alteration of said undergrade crossing. It appears to this Commission that the present proceeding is not one in which a public hearing is necessary; that it is in the interest of public convenience and necessity that the said undergrade crossing be widened and improved; that an agreement has been entered into between the interested parties relative to division of cost of construction and maintenance of said separated grades and that this application should be granted subject to the conditions herein after specified, therefore,

IT IS HEREBY ORDERED that the People of the State of California, acting by and through the Department of Public Works, Division of Highways, and the Pacific Electric Railway Company be and they are hereby authorized to widen and improve an undergrade crossing under the tracks of the Pacific Electric Railway Company in the vicinity of Upland at the location and in the manner shown on the plan marked "Exhibit A" attached to the application.

Said crossing is identified as Crossing No. 6T-37.56-B.

Applicant shall, within ninety (90) days from the date hereof, file with this Commission a certified copy of the agreement between the interested parties relative to division of cost of construction and maintenance of said crossing. Said agreement shall be subject to the approval of this Commission.

The Commission reserves the right to make such further orders in this matter 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.

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

Dated at San Francisco, California, this 4th day of January, 1929.

Albany
Edward C. ...
John D. ...