

ORIGINAL

Decision No. 16149.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

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In the matter of the application of Pacific Electric Railway Company for permission to construct a spur track at grade across Stowell Street, Third Avenue and Sultana Avenue, and at grade across a spur track of the Atchison, Topeka and Santa Fe Railway Company, in the City of Ontario, County of San Bernardino, State of California.

Application No. 7591.

By The Commission:

ORDER

Pacific Electric Railway Company, a corporation, having on February 23, 1922, filed with the Commission an application for permission to construct a spur track at grade across Stowell Street, Third Avenue and Sultana Avenue and at grade across a spur track of the Atchison, Topeka and Santa Fe Railway Company in the City of Ontario, County of San Bernardino, State of California, as herein-after indicated, and it appearing to the Commission that this is not a case in which a public hearing is necessary; that the necessary franchise or permit has been granted by the Board of Trustees of said City of Ontario for the construction of said spur track at grade across Stowell Street, Third Avenue and Sultana Avenue; there being attached to the application, marked Exhibit "D", a copy of an agreement between The Atchison, Topeka & Santa Fe Railway Company and the applicant granting the consent of said Atchison, Topeka and Santa Fe Railway Company for the construction of said spur track of Pacific Electric Railway Company across a spur track of said Atchison, Topeka & Santa Fe Railway Company, and it further appearing

that it is not reasonable nor practicable to avoid grade crossings with said Stowell Street, Third Avenue and Sultana Avenue, and spur track of the Atchison, Topeka & Santa Fe Railway Company, and that this application should be granted subject to the conditions hereinafter specified,

IT IS HEREBY ORDERED, that permission be and it is hereby granted Pacific Electric Railway Company to construct a spur track at grade across Stowell Street, Third Avenue and Sultana Avenue, and at grade across a spur track of the Atchison, Topeka & Santa Fe Railway Company, in the City of Ontario, County of San Bernardino, State of California, in the location shown by a dotted red line on the map filed with the application as Exhibit "B", said crossings to be constructed subject to the following conditions, viz:

(1) The entire expense of constructing the crossings over Stowell Street, Third Avenue and Sultana Avenue, together with the cost of their maintenance thereafter in good and first-class condition for the safe and convenient use of the public shall be borne by applicant.

(2) Said crossing shall be constructed of a width and type of construction to conform to those portions of Stowell Street, Third Avenue and Sultana Avenue now graded, with grades of approach not exceeding four (4) per cent; shall be protected by suitable crossing signs and shall in every way be made safe for the passage thereover of vehicles and other road traffic.

(3) The crossing over the spur track of the Atchison, Topeka & Santa Fe Railway Company shall be constructed, installed and maintained in a good and first-class condition at the sole cost of the applicant.

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

(5) The authorization herein granted for the installation of

said crossings shall lapse and become void one year from the date of this order unless further time is granted by subsequent order.

(6) 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.

Dated at San Francisco, California, this 6th day of March, 1922.

W. B. Brundage
H. D. Loveland

W. B. Brundage

Commissioners.