

ORIGINAL

Decision No. 589

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BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the matter of the application of PACIFIC ELECTRIC RAILWAY COMPANY for permission to construct a grade crossing with track of The Atchison, Topeka and Santa Fe Railway Company in Rialto Avenue, City of San Bernardino, San Bernardino County, California, about seven hundred (700) feet east of the west boundary line of said City.  
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Application 506.

ORDER

By the Commission.

PACIFIC ELECTRIC RAILWAY COMPANY, a corporation, having on April 15, 1913, filed with the Commission an application for permission to construct its main line track at grade across the main line track of The Atchison, Topeka and Santa Fe Railway Company, in Rialto Avenue, City of San Bernardino, San Bernardino County, California, at a point about seven hundred (700) feet east of the west boundary line of said City, as hereinafter indicated, and it appearing to the Commission that this is not a case in which a public hearing is necessary, that applicant has filed copy of a letter dated April 10, 1913, signed by I. L. Hibbard, Acting General Manager of The Atchison, Topeka and Santa Fe Railway Company, which indicates that said Company expects to negotiate a satisfactory contract with applicant, relative to the installation, maintenance and operation of said proposed crossing, and that it anticipates that no differences will arise between the parties relative to terms of said contract; and it further appearing that it is not reasonable nor practicable for applicant to avoid a grade crossing with said track of The Atchison, Topeka and Santa Fe Railway Company, and that the application should be granted subject to the conditions hereinafter specified,

IT IS HEREBY ORDERED that permission be hereby granted Pacific Electric Railway Company to construct its main line track at grade across the main line track of The Atchison, Topeka and Santa Fe Railway Company upon Rialto Avenue, City of San Bernardino, San Bernardino County, California, at a point about seven hundred (700) feet east of the

west boundary line of said City, as shown by the maps and profiles attached to the application and subject to the following conditions, viz.:

(1) The entire expense of constructing the crossing, together with the cost of its maintenance hereafter in good and first-class condition for the safe operation thereover of engines, motors, trains and cars of both applicant and The Atchison, Topeka and Santa Fe Railway Company, shall be borne by applicant.

(2) All engines, motors, trains and cars of both applicant and The Atchison, Topeka and Santa Fe Railway Company, before passing over said crossing, shall come to a full stop within fifty (50) feet thereof, and shall not pass thereover until it has been ascertained that it is safe to do so, and until proper signals have been given.

(3) The Commission reserves the right to make such further orders relative to the location, construction, operation, maintenance and protection of said crossing 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 15th day of April, 1913.

John W. Ashleman

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Max Fleeter

Edwin O. Edgerton

Commissioners.