

Decision No. 28769

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application  
of PACIFIC ELECTRIC RAILWAY COMPANY  
for authority to construct a con-  
nection to an extension of spur  
track on First Street in the City of  
Claremont on its Pomona-Upland Line. )

Application No. 20477

BY THE COMMISSION.

ORIGINAL

O R D E R

Pacific Electric Railway Company, a corporation, on April 11, 1936, applied for authority to construct a spur track at grade across First Street in the City of Claremont, County of Los Angeles, State of California. A temporary permit (dated April 13, 1936) has been granted by the City Council of said City for the construction of said crossing at grade.

It appearing that a public hearing is not necessary herein; that it is neither reasonable nor practicable at this time to provide a grade separation or to avoid a grade crossing at the point mentioned and that the application should be granted subject to certain conditions,

IT IS HEREBY ORDERED that Pacific Electric Railway Company is hereby authorized to construct a spur track at grade across First Street in the City of Claremont, County of Los Angeles, State of California, at the location more particularly described in the application and as shown by the map (C.E.9974-a) attached thereto, subject to the following conditions:

- (1) The above crossing of First Street shall be identified as Crossing No. 6T-31.57-C.
- (2) The entire expense of constructing and thereafter maintaining the crossing in good and first-class condition for safe and convenient use of the public, shall be borne by applicant.

- (3) Said crossing shall be constructed equal or superior to the type shown as standard No. 2 in General Order No. 72 of this Commission, and shall be constructed without superelevation and of a width to conform to that portion of said street now graded, with the tops of rails flush with the pavement and with grades of approach not exceeding three (3) per cent, and shall be protected by a standard No. 1 crossing sign, as specified in General Order No. 75-A of this Commission.
- (4) Applicant shall, within ninety (90) days, submit a certified copy of a franchise from the City of Claremont, for the construction of said crossing at grade, and in the event that this is not done, the authorization herein granted for the installation of said crossing shall then lapse and become void, unless further time is granted by subsequent order.
- (5) No train, engine, motor or car shall be operated over said crossing unless said train, engine, motor or car shall be first brought to a stop and traffic on the highway protected by a member of the train crew or other competent employee acting as flagman.
- (6) Applicant shall, within thirty (30) days thereafter, notify this Commission, in writing, of the completion of the installation of said crossing and of its compliance with the conditions hereof.
- (7) The authorization herein granted shall lapse and become void if not exercised within one (1) year from the date hereof, 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 crossing, as to it may seem right and proper, and to revoke its permission if, in its judgment, public convenience and necessity demand such action.

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

Dated at San Francisco, California, this 27<sup>th</sup> day of April, 1936.

M. B. Lewis  
Samuel C. Whittell  
M. B. Lewis  
Walter H. H. H.  
Frank T. H. H.  
Commissioners