

Decision No. 37033

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the application of)
The Atchison, Topeka and Santa Fe)
Railway Company, a corporation, for)
an order authorizing it to construct,)
maintain and operate a proposed west-)
bound main track across the main track)
of the Southern Pacific Company, in)
the City of Colton, County of San)
Bernardino, State of California.)

ORIGINAL

Application No. 26078

BY THE COMMISSION:

O R D E R

The Atchison, Topeka and Santa Fe Railway Company, a corporation, on April 3, 1944, applied for authority to construct its main track at grade across the main track of the Southern Pacific Company in the City of Colton, County of San Bernardino, State of California. The Southern Pacific Company has consented, in writing, to the construction of said crossing at grade across its tracks.

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 The Atchison, Topeka and Santa Fe Railway Company is hereby authorized to construct its main track at grade across the main track of the Southern Pacific Company in the City of Colton, County of San Bernardino, State of California, at the location more particularly described in the application and as shown by the maps collectively marked Exhibit "A," attached thereto, subject to the following conditions:

- (1) The entire expense of constructing and thereafter maintaining the crossing, including protective devices therefor, in good and first-class condition for safe and convenient railway use, shall be in accordance with the

- (1) Cont'd
 terms of a written agreement between The Atchison, Topeka and Santa Fe Railway Company and the Southern Pacific Company, to be filed herein and which will by reference be made a part hereof.
- (2) Said crossing shall be protected by the first-class interlocking plant of The Atchison, Topeka and Santa Fe Railway Company now in use at the location shown on Exhibit "A," in conformity with the provisions of our General Order No. 33-B, or subsequent modifications thereof, and in accordance with plans having been approved by this Commission.
- (3) 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.
- (4) 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.
- (5) 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 2nd day of May, 1944.

Richard L. Sack
Julius F. Cassen
Francis R. Havens
Arthur W. Olson
James J. [unclear]
 COMMISSIONERS