

ORIGINAL

DECISION NO. 39925

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA.

In the Matter of the Application of)
 SAN DIEGO ELECTRIC RAILWAY COMPANY,)
 a corporation, for the installation)
 of "Exempt Signs" at spur railroad)
 tracks located at 10th Avenue and)
 "L" Street, 7th Avenue and "K")
 Street, 5th Avenue and "K" Street,)
 Harbor Drive and "E" Street in the)
 City of San Diego, California, in)
 accordance with Section 576 of the)
 California Vehicle Code and Rule)
 No. 2.214 of General Order No. 93-A)
 of the Public Utilities Commission)
 of the State of California.)

Application No. 28073

ORDER

In the above numbered application San Diego Electric Railway Company requests authority to erect and maintain distinctive signs, hereinafter referred to as "exempt signs," as provided in the Vehicle Code and General Order No. 93-A of this Commission, at the following described crossings with spur tracks in the City of San Diego.

<u>Crossing Number</u>	<u>Name of Railroad</u>	<u>Street</u>
36-1.3-C	San Diego and Arizona Eastern Railway Co.	10th Ave. and "L" St.
36-0.9-C	San Diego and Arizona Eastern Railway Co.	5th Ave. and "K" St.
2-268.8-C	The Atchison, Topeka and Santa Fe Railway Co.	7th Ave. and "K" St.
2-267.89-C	The Atchison, Topeka and Santa Fe Railway Co.	Harbor Drive and "E" St.

San Diego and Arizona Eastern Railway Co. and The Atchison, Topeka and Santa Fe Railway Co. have signified, in writing, that they will not oppose the granting of this application.

It appears that this is not a matter in which a public hearing is necessary and that the application should be granted, therefore,

IT IS HEREBY ORDERED that the Public Utilities Commission of the State of California approves the plan to install and maintain distinctive or "exempt signs," in accordance with Section 576(d) of the Vehicle Code, at the above described crossings, subject, however, to the following conditions:

- (1) Said "exempt signs" shall be in accordance with the requirements of General Order No. 93-A.
- (2) Said "exempt signs" shall be erected or caused to be erected and maintained by those authorities designated and empowered by the Vehicle Code to erect and maintain highway traffic signs.
- (3) The approval herein granted does not exempt the operator of any vehicle from the observance of any provision of the Vehicle Code pertaining to the operation of vehicles at railroad crossings.
- (4) In the event of removal, for any cause whatsoever, or obstruction to view of the "exempt signs" herein approved, the authority to move over such spur track crossings without first coming to a full and complete stop is annulled and revoked, and such full and complete stop must at all times be made by the operator of the vehicle until such signs are again displayed.
- (5) Applicant shall, within thirty (30) days thereafter, notify this Commission, in writing, of the completion of the installation of said "exempt signs."
- (6) The approval 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.
- (7) The Commission reserves the right to make such further orders relative to the establishment of "exempt signs" at said crossings as to it may seem right and proper, and to revoke its approval 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 14th day of February, 1947.

Harold A. Kula
Justice J. Cooney
W. H. Duell
P. I. Dunning

Commissioners