

**ORIGINAL**

Decision No. 40154

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the application of )  
 MODESTO INTERURBAN RAILWAY, a corpn., )  
 to construct one standard gauge rail- )  
 road track at grade across Empire )  
 Avenue, in the County of Stanislaus, )  
 State of California. )

Application  
 No. 28287

ORDER

MODESTO INTERURBAN RAILWAY operated by Modesto and Empire Traction Company is authorized to construct a spur track at grade across Empire Avenue in Modesto, Stanislaus County, at the location described in the application, to be identified as Crossing No. 28-1.6-C. Applicant shall bear entire construction and maintenance expense. Construction of said crossing shall be equal or superior to Standard No. 2 of G. O. No. 72, without superelevation and of a width to conform to the portion of the street now graded, with tops of rails flush with roadway, and with grades of approach not exceeding two per cent. Protection shall be by one Standard No. 1 crossing sign (G. O. No. 75-B).

Within thirty days after completion pursuant to this order, applicant shall so advise the Commission in writing. This authorization shall become void if not exercised within one year, unless time be extended, or if above conditions are not complied with. Authorization may be revoked or modified if public convenience, necessity or safety so require. This order shall become effective twenty (20) days from the date hereof.

Dated at San Francisco, California, April 8, 1947.

Harold H. Hub  
Justice F. Callahan  
Frank Powell  
R. J. ...  
... Pottier  
 COMMISSIONERS