

Decision No. 40326

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the application of )  
THE CITY OF SAN DIEGO for permission )  
to improve its street, known as )  
FIFTH AVENUE; across the tracks of )  
The Atchison, Topeka and Santa Fe )  
Railway Company, a corporation, and )  
also across the tracks of the San )  
Diego and Arizona Eastern Railway )  
Company, a corporation. )

ORIGINAL

Application No. 28275

O R D E R

The City of San Diego is authorized to widen Fifth Avenue at grade across the tracks of The Atchison, Topeka and Santa Fe Railway Company (Crossing No. 2-268.5), and of San Diego and Arizona Eastern Railway Company (Crossing No. 36-0.9), in the City of San Diego, substantially as shown on Exhibit "A" in the application. Applicant shall bear entire construction expense, also maintenance cost outside of lines two feet outside of rails. The Atchison, Topeka and Santa Fe Railway Company shall bear maintenance cost between such lines on Crossing No. 2-268.5, and San Diego and Arizona Eastern Railway Company shall bear maintenance cost between such lines on Crossing No. 36-0.9. Width of crossings shall be not less than 52 feet and grades of approach not greater than 3 per cent. Construction shall be equal or superior to Standard No. 2 of G.O. No. 72.

Protection shall be by two Standard No. 1-A reflectorized crossing signs (G.O. No. 75-B) for each of the two crossings. The Atchison, Topeka and Santa Fe Railway Company and San Diego and

Arizona Eastern Railway Company shall observe the following conditions in their operation over Crossing No. 2-268.5 and Crossing No. 36-0.9:

- (1) No cars shall be spotted within 100 feet of the curb lines of Fifth Avenue.
- (2) All switching movements over said crossings shall be protected by a member of the train crew or other competent employee acting as flagman.
- (3) All main line movements over said crossings shall not exceed a speed of 15 miles per hour.

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 in 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 be effective twenty (20) days from the date hereof.

Dated at San Francisco, California, this 27<sup>th</sup> day of May, 1947.

Harold D. Kule  
Justice B. Cravener  
James H. Lawrence  
R. L. Dunnington  
Penelope Pettit  
 COMMISSIONERS