

Decision No. 45640

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the matter of application of Southern
 Pacific Company for an order authorizing
 the construction at grade of siding track
 extension across two (2) tracks of The
 Atchison, Topeka & Santa Fe Railway Company
 and applicant's track used exclusively by
 Union Pacific Railroad Company in the City
 of Colton, County of San Bernardino, State
 of California.

Application No. 32280

ORDER

The Southern Pacific Company, a corporation, on April 7, 1951, applied for authority to construct a siding extension across the main line tracks of The Atchison, Topeka & Santa Fe Railway Company and across applicant's own track used exclusively by Union Pacific Railroad Company in the City of Colton, County of San Bernardino, State of California. There is provided in an agreement dated October 19, 1909, filed with the Commission in this matter, the right of Southern Pacific Company to construct tracks at grade across those of The Atchison, Topeka & Santa Fe Railway Company at or near this location, in addition to the present rail crossings. The said agreement provides that Southern Pacific Company shall bear the expense of constructing and thereafter maintaining additional crossings at or near this location, including the installation of protective devices therefor.

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

IT IS ORDERED that the Southern Pacific Company is hereby authorized to construct a siding extension across the two main line tracks of The Atchison Topeka & Santa Fe Railway Company and across applicant's own track used

exclusively by Union Pacific Railroad Company in the City of Colton, County of San Bernardino, State of California, at the locations more particularly described in the application and as shown by the map attached thereto, subject to the following conditions:

1. Said crossing shall be protected by the first class interlocking plant now in use at the location shown on the map attached to the said application in conformity with the provisions of the Commission's General Order No. 33-B or subsequent modifications thereof and in accordance with plans having been approved by this Commission.

2. Applicant shall within thirty days thereafter notify this Commission in writing of the completion of installation of said crossings and of its compliance with the conditions hereof.

3. The authorization herein granted shall lapse and become void if not exercised within one year from the date hereof unless further time is granted by subsequent order.

4. The Commission reserves the right to make such further orders relative to the location, construction, operation, maintenance and protection of the said crossings as to it may seem right and proper and to revoke its permission if in its judgment public convenience and necessity demands such action.

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

Dated at San Francisco California, this 1st day of May, 1951.

R. J. Zimmerman
Justus J. Cresser
Harold A. Hulse
Frederick H. Potter
John L. Mitchell
 Commissioners.