

**ORIGINAL**

Decision No. 47408

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of )  
SOUTHERN PACIFIC COMPANY for an order )  
authorizing the construction of its )  
so-called Los Angeles By-Pass Line )  
across the track of Pacific Electric )  
Railway Company's Whittier Line in )  
the vicinity of Los Nietos, Los Angeles )  
County, California. )

Application No. 33485

O R D E R

Southern Pacific Company, a corporation, on June 12, 1952, applied for authority to construct, maintain and operate a railroad track at grade across the track of Pacific Electric Railway Company's Whittier Line in the vicinity of Los Nietos, County of Los Angeles, State of California, by means of two turnout switches and use of a short section of said Pacific Electric Railway Company track. Pacific Electric Railway Company has consented in writing to the construction of said crossing at grade across its Whittier Line track.

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 application should be granted subject to certain conditions,

IT IS ORDERED that Southern Pacific Company is hereby authorized to construct its proposed by-pass line track at grade across the track of the Pacific Electric Railway Company's Whittier Line in the vicinity of Los Nietos, County of Los Angeles, State of California, by means of (2) turnout switches and the use of a short distance of said track of Pacific Electric Railway Company, at the location more particularly described in the application and as shown by print of Los Angeles Division Drawing B-2721, Sheet No. 2 of 2, revised May 14, 1950, 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 borne in accordance with an agreement approved by this Commission, a certified copy of which shall be filed

within six months after the date of this order. Should said agreement not be filed within the above time and further time not be granted by subsequent order, said costs will be apportioned by supplemental order.

2. Said crossing shall be protected by means of interlocking signals with power operated switches in conformity with the provisions of the Commission's General Order 33-B or subsequent modifications thereof, and in accordance with plans having been approved by this Commission.

3. Applicant shall within thirty 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 if not exercised within one year of 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 it may deem right and proper and to revoke this authorization if in its judgment public convenience, necessity and safety demand such action.

The authority herein granted shall become effective twenty (20) days after the date hereof.

Dated at San Francisco, California, this 28<sup>th</sup> day of June, 1952.

A. J. Dunderberg  
President  
Harold Kule  
Samuel Potter  
Edw. E. Whipple  
Commissioners