

Decision No. 51784**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of the State of California,)
 Department of Public Works, for an order)
 authorizing construction of a crossing)
 at separated grades between a spur track)
 of the Southern Pacific Company and State)
 Highway Route 26, sometimes referred to)
 as "Pavillion Spur Overhead", and the)
 abandonment of an existing grade crossing)
 in Colton, San Bernardino County.)

Application No. 36557

ORDER

The Department of Public Works of the State of California is authorized to construct State Highway Route 26 at separated grades over a spur track of Southern Pacific Company, referred to herein as "Pavillion Spur Overhead", to be identified as Crossing No. B-539.3-AC, and also to remove spur track grade crossing No. B-539.2-C, in the City of Colton, San Bernardino County, in the manner described in Exhibit "A" and at the locations shown upon the map, Exhibits "B" and "C", attached to the application.

During construction of the separation structure, applicant is temporarily authorized to deviate from the clearances prescribed by General Order No. 26D to the extent of a vertical clearance of 20' 0" above top of rail and 9' 0" horizontal from center line of track, subject to the following conditions:

1. Appropriate notices shall be issued to railroad employees, calling their attention to the existence of the temporary impairment of clearances and prohibiting them from riding on the tops and sides of cars while operating under the structure.
2. Illuminated signs, reading "Impaired Overhead and Side Clearances", shall be installed at appropriate locations on each side of the structure, to warn

railroad employees of the existence of the impaired clearance conditions.

Construction and maintenance expenses shall be borne in accordance with an agreement entered into between applicant and Southern Pacific Company, and a copy of said executed agreement, together with plans of said crossing approved by the railroad, shall be filed with the Commission prior to commencing construction. Should the parties fail to agree, the Commission will apportion cost of construction and maintenance by further order.

Within thirty days after completion of the separation structure and removal of the spur track crossing pursuant to this order, applicant shall so advise the Commission in writing. This authorization shall become void if not exercised within two years, 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.

The effective date of this order shall be twenty days after the date hereof.

Dated at San Francisco, California, this 9th day of August, 1955.

W. E. Mitchell
President

Justus J. Cicenas

Paulo J. Terenzi

Walter J. Kelly

B. Hardy
Commissioners