

ORIGINALDecision No. 57019

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application)
of the City of Fullerton for an)
order authorizing the construction)
of an Underpass Grade Crossing in)
lieu of the existing Surface Grade)
Crossing over the Atchison, Topeka)
& Santa Fe Railway and Union Pacific)
Railway lines at Nicolas Avenue in)
the City of Fullerton.)

Application No. 39587

O R D E R

The City of Fullerton is authorized to construct Nicolas Avenue at separated grades under tracks of The Atchison, Topeka and Santa Fe Railway Company and Union Pacific Railroad Company, as described in the application as amended January 24, 1958, and April 11, 1958, and at the location as shown on Exhibit "A" attached thereto, to be identified as Crossings Nos. 2-163.9-B and 3Y-16.3-B, respectively. Clearances shall be in accordance with the provisions of General Order No. 26-D. Structural details shall be in accordance with plans jointly developed by the applicant and the two railroads involved.

Applicant is further authorized to construct a temporary detour across The Atchison, Topeka and Santa Fe Railway Company and Union Pacific Railroad Company tracks approximately 250 feet east of the present crossing, at the location as shown on Exhibit "A" attached to the application, to be identified as Crossings Nos. 2-163.95 and 3Y-16.35, respectively.

Construction of the temporary crossings shall be equal or superior to Standard No. 2 of General Order No. 72 and not less than 24 feet in width, with grades of approach not to exceed two per cent.

Protection at Crossing No. 2-163.95 shall be by two Standard No. 3 wigwag signals and at Crossing No. 3Y-16.35 by one Standard No. 3 wigwag (General Order No. 75-B). Upon completion of Nicolas Avenue (Crossings Nos. 2-163.9-B and 3Y-16.3-B) and its being opened to the public, Crossings Nos. 2-163.95 and 3Y-16.35 shall be immediately abandoned and closed.

Construction and maintenance costs shall be borne in accordance with an agreement to be entered into between the parties, and a copy of the executed agreement, together with plans of said proposed structures approved by the railroads, shall be filed with the Commission within 180 days. Should the parties fail to agree, the Commission will apportion the cost of construction and maintenance by further order.

Within thirty days after completion pursuant to this order, applicant shall so advise the Commission in writing. This authorization shall expire 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 22nd day of JULY, 1958.

S. Lynn Fox
President
Richard Mitchell
Paul W. ...
Theodore ...

Commissioners