

Decision No. 59171**ORIGINAL**

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 a Grade Crossing of the UNION)	Application No. 40458
PACIFIC RAILWAY by the Westerly)	
Prolongation of Valencia Mesa)	
Drive in the City of Fullerton.)	

FIRST SUPPLEMENTAL ORDER

By Decision No. 58004, dated February 9, 1959, the City of Fullerton was authorized to construct Valencia Mesa Drive (Crossing No. 3Y-14.3) at grade across Union Pacific Railroad Company's Anaheim Branch, with the condition that an existing private crossing at Mile Post 14.7 be abandoned and closed upon completion of the new crossing.

Applicant declares that the private crossing at Mile Post 14.7 is presently employed by a large number of persons as an access to a large industrial plant who cannot reach that destination via Valencia Mesa Drive; that Malvern Avenue, presently being extended by the city and authorized to cross the said line of railroad by Decision No. 58581, dated June 16, 1959, in Application No. 40974, has been designed to meet the needs of those who are presently using the private crossing; and that Valencia Mesa Drive is completed but the extension of Malvern Avenue, now under construction, will be completed within 60 days and thereupon provide such access to the industrial plant in lieu of the private crossing at Mile Post 14.7.

By its first supplemental application the City of Fullerton seeks a modification in Decision No. 58004 to permit the interim retention of the crossing at Mile Post 14.7 until the Malvern Avenue access is available.

Good cause appearing IT IS ORDERED that the second paragraph in the order in Decision No. 58004 be amended to read:

The private crossing at Mile Post 14.7, about 2,000 feet southerly of Valencia Mesa Drive, shall be abandoned and closed either upon the opening of Malvern Avenue to public travel across the Anaheim Branch of Union Pacific Railroad Company or within sixty days after the opening of Crossing No. 3Y-14.3 (Valencia Mesa Drive) to public travel, whichever occurs first. During this interim retention of the crossing at Mile Post 14.7, Union Pacific Railroad Company shall cause all its rail movements to be first brought to a safety stop before proceeding across said crossing.

In all other respects Decision No. 58004 shall remain in full force and effect.

Dated at San Francisco, California, this 20th day of October, 1959.

[Signature] President
[Signature]
[Signature]
[Signature] Commissioners