

ORIGINAL

Decision No. 68727

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Investigation into the safety, maintenance, operation, use and protection of the following crossings at grade with the lines of UNION PACIFIC RAILROAD COMPANY: Crossing No. 3-43.4, Milliken Avenue, County of Riverside and County of San Bernardino, California; and Crossing No. 3-49.8, Limonite Avenue, County of Riverside, California.

Case No. 7640
(Filed June 4, 1963)

OPINION AND ORDER

The Commission, by Decision No. 65959, dated September 3, 1963, directed that the Limonite Avenue and Milliken Avenue grade crossings of the Union Pacific Railroad Company (No. 3-49.8 in the County of Riverside and No. 3-43.4 in the Counties of Riverside and San Bernardino) be further protected by the installation of automatic crossing gates to supplement the Standard No. 8 Flashing light signals now in place.

The matter was continued to November 14, 1963, to receive evidence pertaining to the issue of apportioning maintenance costs for the protection at said crossings and thereafter the matter was removed from the calendar.

The Commission's Director of Transportation reports that the automatic gates have been installed at the Limonite Avenue and Milliken Avenue grade crossings. Such report is made a part of the record as Exhibit 1.

The only remaining issue involved in this application is the assessment of the costs of maintenance of the protective devices and on this issue the Commission has an established policy; therefore, a public hearing is not deemed necessary.

The Commission finds that protective devices have been installed at the above crossings.

The Commission concludes, in conformity with the policy and holding announced in Decision No. 66454, dated December 10, 1963, and Decision No. 66881, dated February 26, 1964, that the costs of maintaining protective devices at the crossings, herein concerned, should be borne exclusively by the Railroad.

IT IS ORDERED that the maintenance costs of the automatic signal protection installed at the two crossings hereinafter described shall be borne by the Union Pacific Railroad Company:

(1) Crossing No. 3-43.4, Milliken Avenue, County of Riverside and County of San Bernardino.

(2) Crossing No. 3-49.8, Limonite Avenue, County of Riverside.

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

Dated at San Francisco, California, this 9th day of MARCH, 1965.

[Signature] President

[Signature]
[Signature] Commissioners

We dissent.

Frederick B. Holdhoff
George G. Brewer