Decision No. 70069

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application) of the County of San Bernardino for) Permission to Improve a Grade Crossing) by Construction of an Overhead Structure) over the Tracks of the Southern Pacific) Company at Cedar Avenue near the) Communities of Bloomington, Colton, and) San Bernardino, in the County of San) Bernardino, State of California.

Application No. 47571 (as amended)

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<u>order</u>

The County of San Bernardino is hereby authorized to construct Cedar Avenue at separated grades over Southern Pacific Company's El Paso Route in the County of San Bernardino, at the location described and in the manner as shown in the application, to be identified as Cedar Avenue Overpass, Crossing No. B-534.7-A.

Applicant proposes to decrease temporarily the existing crossing width as may be required during construction and is so authorized providing present automatic protection is retained.

Clearances shall be in accordance with the requirements of General Order No. 26-D, except that the vertical clearances shall be not less than 23'8" above top of rail. However, during the period of construction, a clearance of not less than 21'0" above top of rail is authorized and Southern Pacific Company is authorized to operate with such reduced overhead clearance provided it issues, and files with the Commission, appropriate bulletins to train and enginemen advising them of the temporarily impaired clearance condition and forbidding trainmen to ride on the tops of cars while operating beneath the structure.

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Construction and maintenance expenses shall be borne in accordance with terms of an agreement to be entered into between the County of San Bernardino and the Southern Pacific Company. A copy of said executed agreement, together with plans approved by the railroad, shall be filed with the Commission prior to commencement of construction. Should the parties fail to agree, the Commission will apportion the costs 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 three 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 present Cedar Avenue grade crossing (No. B-534.7) shall be physically closed and barricaded concurrently with the completion of the proposed separation.

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

Dated at <u>San Francisco</u>, California, this <u>JUL</u> day of <u>DECEMBER</u>, 1965.

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