

Decision No. 73081**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of )  
 LOS ANGELES & SALT LAKE RAILROAD COM- )  
 PANY and its Lessee, UNION PACIFIC )  
 RAILROAD COMPANY, for an order )  
 authorizing the construction, mainten- )  
 ance and operation of an industry )  
 spur track over and across First )  
 Street in the City of Pomona, County )  
 of Los Angeles, State of California. )

Application No. 49545  
 (Filed July 13, 1967)

ORDER

Union Pacific Railroad Company is hereby authorized to construct a spur track at grade across First Street at Parcels Street in Pomona, Los Angeles County, at the location described in the application, to be identified as Crossing No. 3-31.8-C. Construction of said crossing shall be equal or superior to Standard No. 2 of General Order No. 72, without superelevation and of a width to conform to the portion of the street now graded, with tops of rails flush with the roadway and with grades of approach not exceeding two percent. Protection shall be by three Standard No. 8 crossing signals (General Order No. 75-B).

The construction of this spur track, even though the application was filed by the railroad, is part of a City of Pomona instigated project to relocate the Union Pacific Railroad Company Freight Station to facilitate the improvement of First Street in Pomona. The city has agreed to bear the cost of construction and maintenance of the automatic protection. Construction expense of the crossing shall be borne in accordance with an agreement entered into between the parties or, if they fail to agree, by further order

of the Commission. Maintenance cost of the crossing outside of lines two feet outside of rails shall be borne by City of Pomona. Union Pacific Railroad Company shall bear maintenance cost of the crossing between such lines. Construction cost of the automatic protection shall be borne by the City of Pomona. Maintenance cost of the automatic crossing protection shall be borne by the City of Pomona, pursuant to the provisions of Section 1202.2 of the Public Utilities Code.

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 one year 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 19<sup>th</sup> day of SEPTEMBER, 1967.

[Signature]  
President  
[Signature]  
William M. Bennett, Jr.  
[Signature]  
Commissioners

Commissioner William M. Bennett, being necessarily absent, did not participate in the disposition of this proceeding.