

**ORIGINAL**Decision No. ~~73683~~

## BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application  
of MODESTO INTERURBAN RAILWAY,  
a corporation to construct standard  
gauge railroad tracks at grade across  
Riverside Drive, in the County of  
Stanislaus, State of California.

Application No. 49872  
(Filed December 11, 1967)

O R D E R

Modesto Interurban Railway is hereby authorized to construct a drill track at grade across Riverside Drive near the City of Modesto in Stanislaus County, at the location described in the application, to be identified as Crossing No. 28-3.50-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.

Applicant alleges that the automatic protection equipment has been placed on order but there will be some delay before delivery, and it desires to proceed with the crossing construction in order to serve the industries. It is proposed to install two Standard No. 1 crossing signs (General Order No. 75-B) as temporary protection during the interim until the automatic protection has been installed and placed in operation.

Protection at Crossing No. 28-3.50-C shall be by two Standard No. 8 crossing signals (General Order No. 75-B), except that during the interim period extending not beyond 90 days from the date hereof the crossing may be opened prior to the installation of said signals with crossing protection by two Standard No. 1 crossing signs (General Order No. 75-B) reflectorized with reflex-reflective

sheet material provided that during said interim period no train, engine, motor or car shall be operated over the crossing unless it shall be first brought to a stop and traffic on the highway protected by a member of the train crew or other competent employee acting as flagman. Upon completion and operation of the automatic protection, the interim protection may be removed and the foregoing interim operating restriction shall expire.

Applicant shall bear entire construction and maintenance expense.

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 6<sup>th</sup> day of FEBRUARY, 1968.

President

Stallman W. Bennett

Commissioners

Augustus

William J. ...

Paul P. ...

Commissioner Peter E. Mitchell, being necessarily absent, did not participate in the disposition of this proceeding.