

**ORIGINAL**Decision No. 74275

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of the City of Long Beach )  
 for authority to alter crossing at grade )  
 of Cherry Avenue over tracks of the Union ) Application No. 46946  
 Pacific Railroad, Crossing No. 3A-13.3-C, )  
 and for apportionment of costs of said )  
 alteration. )

SUPPLEMENTAL ORDER

Decision No. 68732, dated March 10, 1965, authorized the proposed widening and alteration of the crossing of Cherry Avenue over tracks and right-of-way of the Union Pacific Railroad Company in the City of Long Beach, Crossing No. 3A-13.3-C. Protection by four No. 8 flashing light signals was ordered to replace the two existing Standard No. 1 signs, with the cost of installation to be divided equally between the city and the railroad. It was further ordered that the railroad shall bear the entire maintenance cost of the signals.

In a similar situation, Decision No. 72226 modified Decision No. 68216 by reapportioning maintenance of automatic grade crossing protection in the same proportion as the division of installation costs, where no physical work had been performed prior to October 1, 1965, although the entire maintenance cost had initially been apportioned to the railroad.

The Union Pacific Railroad Company now requests that Decision No. 68732 be similarly modified, since installation of automatic protection commenced in March 1966.

At the subject crossing, it has been determined that automatic grade crossing protection was constructed after October 1, 1965, and it is concluded that the cost of maintaining the automatic protection should be divided in the same proportion as the cost of constructing such automatic grade crossing protection has been divided, pursuant to Section 1202.2 of the Public Utilities Code.

IT IS ORDERED that Decision No. 68732 is hereby modified as follows:

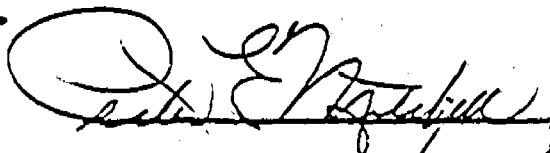

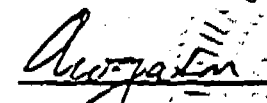
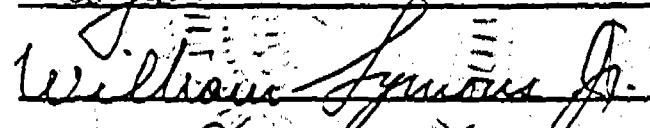
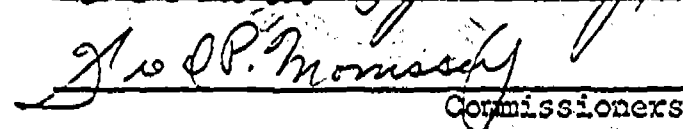
1. The last sentence of Finding No. 7, reading, "All costs of maintenance should be borne by the railroad," is deleted, and the following sentence is substituted therefor:

"Costs of maintaining automatic grade crossing protection should be borne equally by the railroad and the city. All other costs of maintaining the crossing between lines two feet outside of rails should be borne by the railroad."

2. Paragraph (d) of Section No. 1 of the order is deleted, and the following paragraph is substituted therefor:

"(d) The railroad shall bear the entire maintenance cost of the final widened street portion of the crossing between lines two feet outside of the rails. The cost of maintaining the automatic grade crossing protection shall be apportioned 50 percent to the city and 50 percent to the railroad, pursuant to Section 1202.2 of the Public Utilities Code."

Dated at San Francisco, California, this 25<sup>th</sup> day of JUNE, 1968.

 President  
  
  
  
 Commissioners