

**ORIGINAL**Decision No. 75399

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of Application of )  
 San Joaquin County, acting through )  
 its Board of Supervisors, for per- )  
 mission to construct Eight Mile )  
 Road at grade across The Western )  
 Pacific Railroad Company, a )  
 Corporation )

Application No. 50743  
 (Filed on December 12, 1968)

O R D E R

County of San Joaquin is hereby authorized to alter and widen the crossing of Eight Mile Road at grade with a track of The Western Pacific Railroad Company, identified as Crossing No. 4-101.3, north of Stockton, San Joaquin County, as described and substantially as shown in the application. Width of crossing shall be not less than forty feet and grades of approach not greater than two percent. Construction shall be equal or superior to Standard No. 2 of General Order No. 72. Protection shall be by two Standard No. 8 crossing signals (General Order No. 75-B) supplemented with automatic gate arms.

Construction expense of the crossing shall be borne in accordance with an agreement entered into between the parties. Maintenance cost of the crossing outside of lines two feet outside of rails shall be borne by applicant. The Western Pacific Railroad Company shall bear maintenance cost of the crossing between such lines.

The railroad and applicant have agreed to share installation cost of the automatic protection on the basis of 90% to the County and 10% to the railroad in accordance with Federal laws and regulations governing work performed on Federal Aid Projects. Maintenance cost of the automatic protection shall be

divided equally between the applicant and the railroad, pursuant to the provisions of Section 1202.2 of the Public Utilities Code, which is agreeable to the applicant and the railroad and is consistent with the Commission's Decision No. 73985, dated April 16, 1968 in Application No. 48249, County of Lassen, in which Federal funds for automatic protection installation on a 90/10 basis were also involved.

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

Dated at San Francisco, California, this 11<sup>th</sup>  
MARCH  
day of \_\_\_\_\_, 1969.

*Augustus*  
President

*Fred P. ...*  
*...*

*Thomas ...*  
Commissioners

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