

Decision No. 75941**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of the State of California )  
 Department of Public Works for an order )  
 authorizing the alteration of existing )  
 Grade Crossing No. BA-141.2 at North Mercy ) Application No. 50903  
 Springs Road Station and Grade Crossing ) (Filed February 20, 1969)  
 No. BA-141.3 at State Route 152 Station )  
 over tracks of the Southern Pacific Company)  
 in the City of Los Banos, County of Merced.)

INTERIM ORDER

The State of California Department of Public Works is hereby authorized to reconstruct the crossings of North Mercy Springs Road and State Route 152 at grade with the track of Southern Pacific Company Crossings Nos. BA-141.2 and BA-141.3, respectively, in and near the City of Los Banos, Merced County, as described and substantially as shown in the application.

North Mercy Springs Road at Crossing No. BA-141.2 shall substantially conform to the width of the road as now graded and the grades of approach in existence at said crossing. Protection at the North Mercy Springs Road Crossing No. BA-141.2 shall be by two Standard No. 8 flashing light signals (General Order No. 75-B) augmented with automatic gate arms. Cost of installation of the above ordered protection at the crossing shall be shared equally between the City of Los Banos and Southern Pacific Company.

State Route 152 at Crossing No. BA-141.3 shall be not less than sixty-four feet in width, with grades of approach substantially conforming to those in existence at said crossing. Protection at State Route 152, Crossing No. BA-141.3 shall be by two Standard No. 8 flashing light signals (General Order No. 75-B) augmented with automatic gate arms and supplemented with flashing light signals on cantilever arms. Cost of installation of the above ordered protection shall be shared equally between the applicant and Southern Pacific Company.

Upon traffic signals being installed at the nearby North Mercy Springs Road-State Route 152 highway intersection, such signals shall be pre-empted for train movements at the grade crossings with installation and maintenance cost of pre-emption to be borne by applicant.

Construction of each crossing shall be equal or superior to Standard No. 2 of General Order No. 72. Construction expense of each 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 North Mercy Springs Road Crossing No. BA-141.2, outside of lines two feet outside of rails shall be borne by the City of Los Banos. Maintenance cost of the State Route 152 Crossing No. BA-141.3 outside of lines two feet outside of rails shall be borne by applicant. Southern Pacific Company shall bear maintenance cost between such lines at each crossing.

The parties are not in agreement as to sharing or apportionment of the maintenance cost of automatic signal protection to be provided at these crossings upon exercise of the authority granted herein and have agreed that maintenance cost, not otherwise provided herein, be apportioned by further order of the Commission.

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 22nd day of JULY, 1969.

William S. ...  
President  
Augustine ...  
J. B. ...  
Commissioners

Commissioner Fred P. Morrissey, being necessarily absent, did not participate in the disposition of this proceeding.