

ORIGINAL

Decision No. 76044

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of
THE COUNTY OF ORANGE to construct a
County Road across the Right of Way
of the Southern Pacific Company at
Rose Drive near Yorba Linda.

Application No. 50949
(Filed March 10, 1969)

O P I N I O N

The County of Orange seeks to widen and improve Rose Drive near Yorba Linda, and improve the protection at Crossing No. 6C-28.50 across the tracks of the Southern Pacific Company. The application was set for hearing before Examiner DeWolf at Los Angeles on June 27, 1969, and removed from the calendar at request of the parties.

By letter dated June 10, 1969, the applicant stated that the parties had reached an agreement on disputed matters and the Southern Pacific Company, by letter dated June 19, 1969, advised that the Railroad had signed an agreement for the crossing improvement. Applicant has also requested that authority be granted to protect said crossing with two Standard No. 1-A crossing signs for a period of 180 days or until the Railroad can complete installation of the proposed automatic protection. A copy of the

proposed agreement is marked Exhibit No. 1 and a copy of applicant's letter dated June 10, 1969, is marked Exhibit No. 2 and each respectively filed herein.

O R D E R

IT IS ORDERED that:

1. The County of Orange is hereby authorized to widen and improve Rose Drive Crossing No. 6C-28.50 across the track of the Southern Pacific Company's Yorba Linda Branch, as described and substantially as shown in the application.
2. The widened crossing of Rose Drive, Crossing No. 6C-28.50, shall be protected by two Standard No. 8 flashing light signals (General Order No. 75-B) with additional flashing lights on cantilevered arms. Upon traffic signals being installed at the nearby Rose Drive, Imperial Highway (State Route 90) intersection, such signals shall be preempted for train movements at Crossing No. 6C-28.50, Rose Drive.
3. The County of Orange is also authorized to temporarily protect the widened crossing of Rose Drive, Crossing No. 6C-28.50, with two Standard No. 1 crossing signs (General Order No. 75-B) reflectorized with reflex-reflecting sheet material, for a period of not to exceed 180 days from the date hereof.
4. The cost of installation of the crossing protection shall be divided equally between the County of Orange and the Southern Pacific Company. Construction expense shall be borne in accordance with an agreement entered into between the parties. Maintenance cost of the automatic crossing protection shall be divided equally between the County of Orange and the Southern Pacific Company pursuant to the provisions of Section 1202.2 of the Public Utilities Code.

5. 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 19th
day of AUGUST, 1969.

William J. Lyons, Jr.
President

Director

Harold P. W. Messing

William J. Lyons, Jr.

Thomas J. Lyons
Commissioners