

**ORIGINAL**

Decision No. 76115

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. 2-912.5 of The )	Application No. 51199
Atchison, Topeka and Santa Fe Railway )	(Filed June 27, 1969)
Company, in connection with the )	
reconstruction and widening of existing )	
State Route 43, at Poso Avenue in the )	
City of Wasco, County of Kern. )	

O R D E R

The State Department of Public Works as agent for the City of Wasco is hereby authorized to widen the crossing of Poso Street at grade with tracks of The Atchison, Topeka and Santa Fe Railway Company, Crossing No. 2-912.5, in the City of Wasco, Kern County, as described and substantially as shown in the application. Width of crossing shall be not less than sixty-six feet and grades of approach not greater than three percent. Construction shall be equal or superior to Standard No. 2 of General Order No. 72. Protection shall be by two Standard No. 3 crossing signals (General Order No. 75-B) augmented with automatic gate arms.

Construction expense of the 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 crossing outside of lines two feet outside of rails shall be borne by the City of Wasco. The Atchison, Topeka and Santa Fe Railway Company shall bear maintenance cost of the crossing between such lines.

Installation cost of the automatic crossing protection shall be divided equally between the City of Wasco and the railroad.

Maintenance cost of the automatic protection shall be divided equally between the City of Wasco and the railroad, pursuant to the provisions of Section 1202.2 of the Public Utilities Code.

Applicant requests that railroad file as-built plans and that the Commission determine the number of maintenance units attributable to the altered automatic grade crossing protection. It appears that the requests relate to the matter of signal maintenance costs to be borne by the City of Wasco. Procedures relating to the Crossing Protection Maintenance Fund for assisting local governmental agencies such as the City of Wasco are set forth in detail in Decisions 72225, 73559 and 75264 of Case No. 8249.

The widened portion of crossing shall not be opened to public use until the protection ordered herein is installed and operative.

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 3rd day of SEPTEMBER, 1969.

William J. ...  
 President

August ...

Thomas ...

Commissioners

Commissioner Vernon L. Sturgeon, being necessarily absent, did not participate in the disposition of this proceeding.