

ORIGINAL

Decision No. 76938

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
the City of Rialto for Permission)
to Construct a Crossing at Grade of)
the Tracks of the Southern Pacific)
Company at Cedar Avenue located in)
the City of Rialto, County of)
San Bernardino, State of California.)

Application No. 51036
(Filed April 25, 1969)

Ward Mathews, for the City of
Rialto, applicant.
Walt A. Steiger, for Southern
Pacific Transportation Company,
protestant.
Ronald I. Hollis, for the Commission
staff.

O P I N I O N

The City of Rialto seeks authorization to construct Cedar Avenue at grade across the tracks of the Southern Pacific Transportation Company in the City of Rialto.

Public hearing was held before Examiner DeWolf at Rialto on January 29, 1970 and was submitted on the same date pursuant to a stipulation of the parties.

The applicant stipulated with the protestant and the Commission staff as to the type of automatic crossing protection herein authorized and the railroad withdrew its protest to the application and objections to opening of the crossing. The application is amended to show that the present name of the railroad is Southern Pacific Transportation Company.

O R D E R

IT IS ORDERED that:

1. The City of Rialto is hereby authorized to construct Cedar Avenue in the City of Rialto across the tracks of the Southern Pacific Transportation Company railroad line at the location and as described and substantially as shown in the application as amended and to be identified as Crossing No. 6T-51.42.

2. The width of the crossing shall be as specified in the plans attached to the application. Construction shall be equal or superior to Standard No. 2 of General Order No. 72. The crossing shall be protected by installation of two Standard No. 8 flashing light signals (General Order No. 75-B) augmented with automatic crossing gate arms.

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

4. Applicant shall bear entire expense of construction and installation of automatic protection, also maintenance cost of the crossing outside of lines two feet outside of rails. Southern Pacific Transportation Company shall bear maintenance cost of the crossing between such lines. Maintenance costs of the automatic protection shall be borne by the applicant, pursuant to the provisions of Section 1202.2 of the Public Utilities Code and applicant's liability shall be limited to such funds as are set aside for allocation to the Commission pursuant to Section 1231.1 of the Public Utilities Code.

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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 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 17th
day of MARCH, 1970.

William J. ...
President

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Commissioner