

ORIGINAL

Decision No. 77628

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

|                                    |                       |
|------------------------------------|-----------------------|
| In the Matter of the Application ) |                       |
| of the County of Orange to alter ) |                       |
| a County Road across the Right )   | Application No. 51914 |
| of Way of the Southern Pacific )   | (Filed May 19, 1970)  |
| Transportation Company at )        |                       |
| Fairhaven Avenue near Orange. )    |                       |

O R D E R

County of Orange is hereby authorized to alter the existing crossing of Fairhaven Avenue at grade across a track of Southern Pacific Transportation Company, identified as Crossing No. BM-519.9, as described and substantially as shown on Exhibit 3 attached to the application. Width of crossing shall be not less than 64 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. 1 crossing signs (General Order No. 75-B). Further, authority is also granted for the removal of the existing two Standard No. 3 flashing light signals since railroad operations are now temporarily suspended at this location due to a bridge being washed out.

Authority granted herein is on the basis of existing conditions at this location with rail service temporarily suspended. In the event of restoration of railroad operations over this portion of the branch line no operations shall be conducted over this crossing until a minimum of two Standard No. 8 flashing light signals supplemented with automatic crossing gates has been installed as crossing protection.

Construction expense of the crossing shall be borne in accordance with an agreement to be 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 applicant. Southern Pacific Transportation Company shall bear maintenance cost of the crossing between such lines.

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 18<sup>th</sup>  
day of AUGUST, 1970.

[Signature]  
Chairman  
[Signature]  
William J. [Signature]  
[Signature]  
Vernon L. Stinger  
Commissioners