

Decision No. 79259

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of Application
of the City of Union City, Alameda
County, California, a Municipal
Corporation under the laws of the
State of California, for the
construction of a Railroad Grade
Crossing by a Public Street
Over the Southern Pacific
Company's Railroad in the
City of Union City (New Street
Crossing No. I-25.67).

Application No. 52639

SUPPLEMENTAL ORDER

Decision No. 79129, dated September 8, 1971, authorized the City of Union City to construct Dyer Road at grade across Southern Pacific Transportation Company's main line track with protection to be Standard No. 8 flashing light signals augmented with automatic gate arms and additional signals on cantilever arms.

Paragraph three of said decision apportioned the construction and installation costs as follows:

"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."

However, the parties have agreed that the cost of installation and maintenance of the automatic protection be shared equally between the city and the railroad. This apportionment appears reasonable.

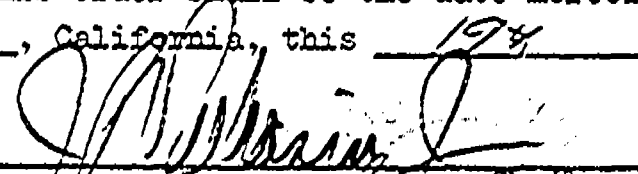
IT IS ORDERED that paragraph three of Decision No. 79129 be amended to read as follows:

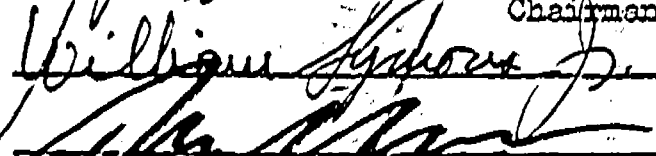
"Construction expense of the crossing shall be borne in accordance with an agreement entered into between the parties. Maintenance cost of the crossing outside of lines two feet outside of rails shall be borne by applicant. Southern Pacific Transportation Company shall bear maintenance cost of the crossing between such lines. Installation cost of the automatic crossing protection shall be divided equally between the applicant and the railroad. Maintenance cost of the automatic protection shall be divided equally between the applicant and the railroad pursuant to the provisions of Section 1202.2 of the Public Utilities Code."

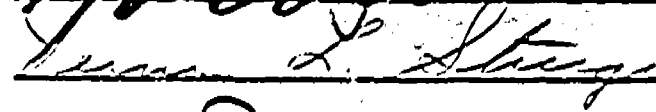
In all other respects Decision No. 79129 shall remain in full force and effect.


The effective date of this order shall be the date hereof.

Dated at San Francisco, California, this 19th day of OCTOBER, 1971.



Chairman





Commissioners