

Decision No.

81214**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of  
 the CITY OF MODESTO, a Municipal  
 Corporation, organized and existing  
 under and by virtue of the laws of  
 the State of California and operating  
 under a freeholders' charter for an  
 Order Authorizing the Construction of  
 a Public Road, Highway or Street Across  
 Railroad Tracks of the Tidewater  
 Southern Railway Company.

Application No. 53090  
 (Filed January 13, 1972)

ORDER

The City of Modesto is hereby authorized to construct the Rumble Road crossing at grade across the tracks of the Tidewater Southern Railway Company in Modesto in the County of Stanislaus at the location and substantially as shown by plans attached to the application, to be identified as Number 75-26.0.

Width of crossing shall be not less than 40 feet and grades of approach not greater than three percent, as shown on plans attached to the application. Construction shall be equal or superior to Standard No. 2 of General Order 72-A.

Clearances, including any curbs, shall conform to General Order 26-D. Walkways shall conform to General Order 113 in that the transition slope between walkways required under General Order 113 and top of roadway shall provide a reasonable regular surface with gradual slope not to exceed one inch vertical to eight inches horizontal in all directions of approach.

Protection at the crossing shall be two Standard No. 9 gate signals (General Order 75-C). The new crossing shall not be opened to public use until this protection is installed and operative.

Construction expense of the crossing and installation of automatic protection shall be borne by the applicant.

Maintenance cost of the crossing outside of lines two feet outside of rails shall be borne by the applicant. Tidewater Southern Railway 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.

Within 30 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 the time be extended or if 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 the date hereof.

Dated at Los Angeles, California, this 27<sup>th</sup>  
day of MARCH, 1973.

Vernon L. Sturgeon  
President  
William J. Squires Jr.  
William J. Squires Jr.  
William J. Squires Jr.  
William J. Squires Jr.  
Commissioners