

T/SD*

Decision No. 92422 NOV 18 1980

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of the COUNTY OF SAN BERNARDINO for an order authorizing construction of a crossing at separated grades between Cherry Avenue and the tracks of the Atchison, Topeka and Santa Fe Railway Company, sometimes referred to as the "Cherry Avenue Overhead" (No. 2-91.7).

Application No. 57094

SUPPLEMENTAL ORDER

By Decision No. 88560, dated March 7, 1978, the County of San Bernardino was authorized to construct Cherry Avenue at separated grades over the tracks of The Atchison, Topeka and Santa Fe Railway Company's Main Line near the City of Fontana, San Bernardino County.

Finding 3 of Decision No. 88560 provides that the portion of the temporary detour crossing (Crossing 2-91.71) across the railway's engine runaround track, known as Track 7, may remain in place to provide access to the railway's depot. Finding 9 of the decision further provides that protection at the noted private crossing should be two Standard No. 9 automatic gate-type signals (General Order 75-C).

The railway, by letter of July 21, 1980, advises that, since the issuance of Decision No. 88560, alternate parking facilities have been provided immediately to the north of the private crossing for ~~their~~ employees and others having business at the railway's depot. The number of vehicles required to use the private crossing has thus been reduced to a bare minimum. Accordingly, the railway requests that it be relieved from the requirement that the private crossing be protected by two Standard No. 9 automatic gate-type signals and that, in lieu thereof, the railway be permitted to install two Standard No. 1-C private crossing signs (General Order 75-C).

A. 57094

By letter of October 3, 1980, the County of San Bernardino indicated that it has no objection to the railway's request.

IT IS ORDERED that Decision No. 88560 be modified as follows:

Finding 9 which reads:

"9. Protection at the private crossing which may remain for access to the railway's depot should be two Standard No. 9 automatic gate-type signals.

shall be changed to read:

9. Protection at the private crossing which may remain for access to the railway's depot should be two Standard No. 1-C private crossing signs (General Order 75-C).

In all other respects, Decision No. 88560 shall remain in full force and effect.

The effective date of this order is the date hereof.

Dated NOV 18 1980, at San Francisco, California.

John E. Byron
President

Vernon L. Stanger

Richard W. Howell

Clayton J. Desjardis

Arnold C. Gentry
Commissioners