

Decision No. 13704**ORIGINAL**

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of the People of the State of California in Relation of the California Highway Commission for an Order authorizing the construction of a State Highway crossing over the tracks of the Southern Pacific Railroad, a corporation, near Weimer, Placer County.

Application No. 9434

In the Matter of the Application of the People of the State of California in Relation of the California Highway Commission for an Order authorizing the construction of a State Highway crossing under the tracks of the Southern Pacific Railroad, a corporation, near Applegate, Placer County.

Application No. 9435

In the Matter of the Application of the People of the State of California in Relation of the California Highway Commission for an order authorizing the construction of a State Highway crossing under the tracks of the Southern Pacific Railroad, a corporation, near Applegate, Placer County.

Application No. 9436

PAUL F. FRATESSA, for applicant.
F. W. BIERKE, for Southern Pacific Company.

BY THE COMMISSION:

O P I N I O N .

In the above entitled applications the People of the State of California in relation of the California Highway Commission ask for an order authorizing the construction of three grade separations between the Auburn - Verdi State Highway and the westward main track of Southern Pacific Company between Rocklin

and Colfax in Placer County, California.

A public hearing was held on these applications in San Francisco before Examiner Satterwhite, December 17, 1923, at which time it was stipulated that the three applications should be consolidated for hearing and decision.

In Application No. 9434 authority is asked to construct a state highway crossing over the tracks of Southern Pacific Company at Weimer. The plan of the proposed structure at this crossing consists of a viaduct two hundred and forty feet long which provides for two future tracks in addition to the two existing ones, all as shown on map attached to the application.

In Application No. 9435 applicant asks authority to construct a state highway crossing under Southern Pacific Company's track near Applegate. The proposed plan for this improvement is in the form of a concrete arch under the railroad, all as shown on map attached to the application.

In Application No. 9436 authority is asked to construct a state highway crossing under Southern Pacific Company's track near Applegate. The proposed improvement for this under grade crossing consists of steel girders with concrete abutments, all as shown on map attached to the application.

The grade separations applied for herein are in each case replacements of hazardous grade crossings of the Auburn - Verdi State Highway over Southern Pacific Company's westward track, the Company's eastward track between Rocklin and Colfax being their new line built on lighter grades than the westward track. The lines diverge considerable in this distance to meet with the mountainous conditions. This highway carries considerable vehicular traffic especially during the summer months and will undoubtedly carry more in the future as the state is now

macadamizing this road and improving the alignment and grade preparatory to paving. In fact, the proposed crossings are a part of the program of the new improvement.

The railroad operates seven passenger trains, two freight trains in addition to extra trains per day over the crossings involved in these matters at high rates of speed. Each of the grade crossings to be eliminated by the proposed improvements are hazardous ones due to limited views of approaching trains and rather steep grades of approach to the crossings.

The evidence shows that with respect to locations and types of structures proposed, the Highway Commission and the Railroad Company are in accord. A tentative agreement has been entered into by these parties whereby the Highway Commission is to pay one-half and Southern Pacific one-half of the cost of each of the three grade separations proposed herein. A preliminary estimate prepared by the Highway Commission shows the approximate cost of the proposed improvements to be as follows: covered by Application No. 9434, \$36,000.00; covered by Application No. 9435, \$31,500.00; covered by Application No. 9436, \$15,000.00.

It is evident that public convenience and necessity require the granting of each of the three above entitled applications as in each case a hazardous grade crossing is replaced with a grade separation in accordance with an agreed plan between the Highway Commission and the Railroad Company. This agreement, both as to the plan of the improvements and as to the division of the cost thereof, meets the approval of this Commission. These applications will, therefore, be granted.

O R D E R .

The People of the State of California, in relation of the California Highway Commission, having applied to this

Commission for an order authorizing the construction of three grade separations of the Auburn - Verdi State Highway and the tracks of the Southern Pacific Company at the locations indicated above, public hearing having been held thereon, the Commission being apprised of the facts, the matter being under submission and ready for decision,

IT IS HEREBY ORDERED, that the People of the State of California, in relation of the California Highway Commission be, and the same are, hereby authorized to construct the Auburn - Verdi State Highway across the tracks of Southern Pacific Company as applied for in Application No. 9434, to construct a crossing over the railroad at Weimer, in Application No. 9435 and Application No. 9436 to construct crossings under the railroad near Applegate, respectively, all in Placer County, California.

All of the above grade separations to be constructed in locations as shown by maps attached to the respective applications, subject to the following conditions, viz:

(1) The proposed grade separations shall be constructed substantially in accordance with the general plans attached to the respective applications and specifically in accordance with detail plans which shall be submitted to and have the approval of this Commission.

(2) The entire expense of constructing each of the three grade separations excepting the highway pavement or other road surface material shall be borne, one-half by applicant, and one-half by Southern Pacific Company.

(3) The entire expense of constructing the pavement or other road surfacing material shall in each case be borne by applicant.

(4) The entire expense of maintaining the supporting track structure of said under grade crossings covered in Applications Nos. 9435 and 9436 shall be borne by Southern Pacific Company. The entire expense of maintaining the supporting highway structure of said overhead crossing covered in Application No. 9434 shall be borne by applicant. The maintaining of the pavement or other road surfacing material shall, in each case, as covered by the above applications, be borne by applicant.

(5) All the provisions of General Order No. 26 of this Commission which are pertinent herein shall be complied with.

(6) The existing grade crossing at Engineers Station 929 plus 31, railroad survey, shall be abandoned and effectively closed when the overgrade crossing as applied for in Application No. 9434 is completed and opened to vehicular traffic. The existing grade crossing at Engineers Station 825 plus 85.5, on the railroad survey, shall be abandoned and effectively closed when the undergrade crossing as applied for in Application No. 9435 is completed and opened to vehicular traffic. The existing grade crossing at Engineers Station 727 plus 20.8 on the railroad survey, shall be abandoned and effectively closed when the undergrade crossing as applied for in Application No. 9436 is completed and opened to vehicular traffic.

(7) Applicant shall, within thirty (30) days thereafter notify this Commission, in writing, of the completion of the installation of each of said grade separations.

(8) If said grade separations shall not have been installed within one (1) year from the date of this order the authorization herein granted shall then lapse and become void unless further time is granted by subsequent order.

(9) The Commission reserves the right to make such further orders relative to the location, construction, operation, maintenance and protection of said grade separations as to it may seem right and proper, and to revoke its permission if, in its judgment the public convenience and necessity demand such action.

This order shall become effective ten (10) days after the making thereof.

Dated at San Francisco, California, this 16th
day of June, 1924.

C. Seavey
H. B. ...
E. ...

Commissioners.