

Decision No. 14054

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of  
NORTHWESTERN PACIFIC RAILROAD COMPANY )  
for permission to construct a second )  
track crossing certain streets at )  
grade between San Anselmo and Fairfax, )  
in the County of Marin, State of )  
California. )

Application No. 10384.

ORIGINAL

BY THE COMMISSION:

PRELIMINARY ORDER

Northwestern Pacific Railroad Company, a corporation,  
filed the above entitled application with the Commission on the 13th  
day of August, 1924, asking for authority to construct a second  
track at grade across Saunders Avenue and San Anselmo Avenue, in  
the City of San Anselmo, and at grade across Fairfax Lane in the  
unincorporated portion of the County of Marin, near Fairfax.

A public hearing was held on this application on September  
11, 1924 before Commissioner Whittlesey at San Anselmo, and it  
appeared from the evidence introduced at said hearing that the pro-  
posed second track had then already been actually constructed at  
grade across said Saunders Avenue, San Anselmo Avenue and Fairfax  
Lane, contrary to the provisions of law. It further appeared that  
said Northwestern Pacific Railroad Company was then operating its  
trains over said crossings, and that it had already changed the  
manner of operation of its trains over that certain other crossing  
heretofore constructed as a passing track at or near Engineer's  
Station 598, as shown on Exhibit "B" attached to the application  
herein, in such a manner as substantially to increase the hazard to

public travel over said several crossings.

It is our opinion that, pending a final determination of this proceeding, said crossings and each of them should be protected by human flagmen daily between the hours of six A.M. and ten P.M. respectively, and this Preliminary Order will so provide.

IT IS THEREFORE HEREBY ORDERED that Northwestern Pacific Railroad Company be and it is hereby directed, subject to the further order of this Commission, forthwith to provide and maintain each day between the hours of six A.M. and ten P.M. respectively, human flagmen at its sole expense for the protection of the crossings of its tracks across Saunders Avenue, San Anselmo Avenue, Fairfax Lane, and that certain crossing located at or near Engineer's Station 598 as shown on Exhibit "B" attached to the above entitled application, pending such final determination as may be had in this matter, either regarding permission to construct said crossings, or regarding the permanent type of protection to be afforded thereat, if such construction be authorized.

Dated at San Francisco, California, this 13<sup>th</sup> day of September, 1924.

W. S. Avery  
H. B. Brundage

J. T. Whitney  
Commissioners.