

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application
of the San Diego Electric Railway
Company for authority to install,
operate, and maintain a single
railway crossing, at grade, over
single spur track of the Atchison,
Topeka and Santa Fe Railway Company,
in the intersection of Market Street
with Atlantic Street, at San Diego,
California.)

) Application No. 10465.

ORIGINAL

BY THE COMMISSION:

O R D E R

San Diego Electric Railway Company, a corporation, having on September 12, 1924, filed with the Commission an application for permission to construct a single track at grade across the spur track of The Atchison, Topeka and Santa Fe Railway Company, a corporation, within the City of San Diego, County of San Diego, State of California, as hereinafter indicated, and it appears to the Commission that this is not a case in which a public hearing is necessary, that said Atchison, Topeka and Santa Fe Railway Company has consented in writing to the construction of said crossing at grade across this spur track, and it further appearing that it is not reasonable nor practicable to avoid a grade crossing with said spur track and that this application should be granted subject to the conditions hereinafter specified,

IT IS HEREBY ORDERED that permission be and it is hereby granted San Diego Electric Railway Company to construct a single track at grade across a spur track of The Atchison, Topeka and Santa Fe Railway Company in the City of San Diego, County of San Diego, State of California, at the intersection of Market Street with Atlantic

Street in said City of San Diego, as shown by the map marked Engineer's Drawing L-3-7323 attached to the application, said crossing to be constructed subject to the following conditions, namely:

(1) The entire expense of constructing the crossing together with the cost of its maintenance thereafter in good and first-class condition shall be borne by applicant.

(2) All trains, motors, engines or cars of applicant shall stop before going over said crossing and shall not proceed thereover until it has been ascertained that it is safe so to do.

(3) Applicant shall within thirty (30) days thereafter notify this Commission, in writing, of the completion of the installation of said crossing.

(4) If said crossing shall not have been installed within one year from the date of this order, the authorization herein granted shall lapse and become void unless further time is granted by subsequent orders.

(5) The Commission reserves the right to make such further orders relative to the location, construction, operation, maintenance and protection of said crossing 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 three (3) days after the making thereof.

Dated at San Francisco, California, this 25th day of September, 1924.

H. B. Muddick
Dwight M. Mott

J. H. Whittney
Commissioners.

243