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Decision No. 17314

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

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ORIGINAL

In the Matter of the Application of  
THE WESTERN PACIFIC RAILROAD COMPANY  
for approval of a plan of signaling at :Application No. 10456  
Marysville, California.

James S. Moore, Jr., for Applicant.

MARTIN, Commissioner:

OPINION

The Western Pacific Railroad Company, applicant herein, has petitioned the Railroad Commission for an order approving a plan of installation of automatic signals to cover trackage from a point about six hundred and forty feet northwest of the northwesterly end of the applicant's Yuba River Bridge south of Marysville to a point about four hundred and fifty feet northwest of the applicant's Marysville Depot. These signal extensions are desired in connection with the proposed joint use of the passing track of the applicant by the owner and by the Sacramento Northern Railroad freight service for the purpose of routing Sacramento Northern freight trains through Marysville without traversing Second and Fifth Streets as is now done.

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A public hearing was held at San Francisco on September 29, 1924.

This proposed extension of automatic signals is desired as a continuation of similar signals placed in operation in March 1923 under informal approval by letter by the Commission.

It is now desired to extend this joint track operation, equipped with automatic signals, from the present junction leading to Second Street over the Western Pacific passing track, to a junction with the present transfer track near Fifth and K Streets, Marysville, for freight service only, passenger trains to continue to be operated over the present routes. The use of this passing track as a joint freight track, as hereinbefore stated, appears in itself desirable as the citizens of Marysville find this freight service through the city very objectionable, and a resolution to that effect and urging the granting of this application was filed by the Marysville City Council with the Commission in this proceeding.

The plan proposed above by the applicant was first submitted informally to the Commission's Engineering Department who declined to approve it, as it was not believed that the plan proposed offered complete protection to train movements at the junction points. The Engineering Department of the Commission suggested that not only the new, but the existing joint operation, should be protected in one of the following three ways: First, through the installation of an interlocking plant at a convenient point near the present junction leading to Second Street; second, through the installation of an interlocking plant located at some convenient point that would include the existing interlocking, in another form, of the Southern Pacific-Western Pacific crossing at

Ninth and X Streets; third, the locking of the key switches on the joint track electrically with the control in the hands of the towerman at the present tower at Ninth and X Streets in lieu of the plain switch indicators proposed by the railroad company. The applicant thereupon filed this formal application with the Commission requesting an order authorizing the signal installation desired.

The applicant contends that the number of train movements over the joint track, and the benefits to be derived from its joint use are not of sufficient value to either or both companies to warrant the expense of installing an interlock<sup>ing</sup> plant. Four prominent signal engineers testified for applicant that the construction of an interlocking plant was not warranted on account of the cost.

Signal Engineer of the applicant submitted estimates placing the cost of an interlocking plant for the joint track at \$29,425. with annual cost of maintenance and operation of \$5970.40. If automatic signals were installed between the proposed tower and the present Ninth and X Street Tower, an additional expenditure of \$4116.81 would have to be made, with an additional annual maintenance charge estimated at \$448.64.

An interlocking plant so located as to include the existing tower and crossing protection at Ninth and X Streets is estimated to cost \$57,207.76, with an annual cost of maintenance and operation of \$7933.86. The installation of electric switch locks on the key switches of this layout, which is the third alternative proposed by the Commission's Engineering Department, is estimated by the applicant to cost \$1578.06 with an annual maintenance charge of \$1162.56. This maintenance charge is high in proportion to the cost of installation, on account of the necessity of keeping a signal maintainer stationed at this point to care for the

electric switch locks. All of the signal engineers testified that such a permanent maintainer would be necessary under such a type of installation. None of the above estimates of annual cost include interest on the investment.

Applicant further protested the use of electric locks and derrails on account of the delays involved in their operation but this delay, when analyzed, appears to be very little greater than that which occurs under the present operation and no greater than that which occurs at junction points where trainmen are required to check the register which might be found necessary at this junction.

Signal Engineer of applicant testified that the signal plan proposed by applicant was adequate and safe and that he did not object to the divided responsibility entailed in its operation; yet the testimony shows that he does object to such divided responsibility between towermen under the Commission's Engineering Department plan requiring a tower at the junction near Second Street by providing automatic signals between the proposed tower and the present tower at Ninth and K Street in his estimate.

Although all of the signal engineer witnesses testified that derrails were not necessary, the testimony shows that there appears to be no other method of bringing a movement made past a danger signal to an absolute stop, except by the installation of automatic train control. It further shows that no serious accidents have occurred in the past twenty years to the knowledge of the witnesses through the fact that such a contrary movement was derailed onto the ground, whereas on the other hand, the Commission has knowledge that several serious accidents have happened in the

past two years as a result of running past stop signals.

This proceeding is one in which the moral responsibility of safeguarding the public, the employees and the property of the carriers, as well as that entrusted to their care, rests finally upon this Commission, and therefore the Commission is reluctant to approve any plan which does not provide for the maximum of safety. We can thoroughly understand and appreciate the position taken by the operating officials in this matter that from their viewpoint the proposed plan is reasonably adequate and safe, and, under ideal operating conditions, would accomplish the desired result at a minimum of cost. Conscious, however, of the responsibility vested in us, we feel that the present application should be denied without prejudice to the submission of plans which will provide for more adequate and substantial protection than that afforded by the plans for which approval has been sought herein.

#### O R D E R

Applicant, the Western Pacific Railroad Company, having on September 4, 1924, filed with this Commission an application for approval of a plan of automatic signaling for the protection of its passing track at Marysville, as shown on substitute Exhibit "A" filed at the hearing and Exhibit "B" attached to the application, a public hearing having been held, the matter having been duly submitted and the Commission being now fully advised and of the opinion that the plans proposed do not provide for the proper measure of safety of operation at the point where the installation for which approval is requested is proposed,

IT IS HEREBY ORDERED, that this application be and it is hereby denied without prejudice against the submission for approval

of plans providing more adequate and substantial safety protection than those for which approval is herein denied.

The foregoing Opinion and Order are hereby approved and ordered filed as the Opinion and Order of the Railroad Commission of the State of California.

Dated at San Francisco, California, this 29<sup>th</sup> day of November, 1924.

C. S. Seavey

H. H. Bunker

Irving Martin

Ernest Shore

J. T. Whittelsey

Commissioners.