

Decision No. 18324

ORIGINAL

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of
Southern Pacific Company for an order
authorizing the construction at grade
of two spur tracks, one across a por-
tion of Newcomb Avenue and across
Quint, Rankin, Selby and Toland Streets,
and one across Newcomb Avenue, Quint
Street, McKinnon Avenue, Jerrold and
Rankin Streets and Innes and Calvez
Avenues, in the City and County of San
Francisco.) Application No. 11445.

BY THE COMMISSION:

FIRST SUPPLEMENTAL ORDER

Southern Pacific Company, applicant herein, on March 10th, 1927, made written request that this Commission's Decision No. 15880, dated January 20th, 1926, with respect to Condition (3), qualifying the construction of crossings at Jerrold Avenue, applied for in Application No. 11445, which condition reads as follows:

"(3) Said crossings at Jerrold Avenue shall be constructed at an elevation which will permit railroad tracks to be laid along and upon the northerly sidewalk area of Jerrold Avenue with a vertical clearance of twenty-two (22) feet between top of rail of said railroad tracks to be laid along Jerrold Avenue and the bottom of steel of the girder supporting Southern Pacific Company's main line tracks where the latter cross Jerrold Avenue;"

be modified to permit the installation of applicant's track at this point at the street level of Jerrold Avenue, with the proviso that if and when The Atchison, Topeka and Santa Fe Railway Company is prepared to install its spur track, authorized under said Decision No. 15880,

(Application No. 11,349), Southern Pacific Company will at that time lower its track to comply with said Condition (3), as set forth above, contingent upon the issuance by the City and County of San Francisco of a resolution allowing the necessary depression of its track.

Condition (8) of said Decision No.15,880, with respect to Application No. 11,349, of The Atchison, Topeka and Santa Fe Railway Company, requires this railroad to file certified copy of a permit from the City and County of San Francisco prior to the starting of the work of construction on the crossings authorized. One year has elapsed and said permit or franchise has not been filed.

Southern Pacific Company, which is now ready to proceed with the installation of its track, filed its franchise (Ordinance No.6669 N.S.) with its application. The Atchison, Topeka and Santa Fe Railway Company has, by letter dated April 15, 1927, given its approval to the request of the Southern Pacific Company and it appears to the Commission that this is not a matter in which a public hearing is necessary; that the request of Southern Pacific Company is reasonable, is in the public interest and should therefore be granted.

IT IS HEREBY ORDERED that Condition (3) of this Commission's Decision No. 15,880, dated January 20, 1926, with respect to Application No. 11,445, as hereinbefore set forth, be and it is hereby modified to read as follows:

(3) Said crossings of Jerrold Avenue may be constructed at the street level of Jerrold Avenue until such time as The Atchison, Topeka and Santa Fe Railway Company is ready to install its track as authorized in and subject to the conditions set forth in Decision No. 15,880. At such time as The Atchison, Topeka and Santa Fe Railway Company is ready to construct its track after it shall have filed the necessary franchise with this Commission, said crossings at Jerrold Avenue shall be constructed at an elevation which will permit railroad tracks to be laid along and upon the northerly sidewalk area of Jerrold Avenue with a vertical clearance of twenty-two (22) feet between top of rail of said railroad tracks to be laid along Jerrold Avenue and the bottom of steel of the girder supporting Southern Pacific Company's

main line tracks where the latter cross Jerrold Avenue.

In all other respects this Commission's Decision No. 15,880, of January 20, 1926, shall remain in full force and effect.

For all other purposes the effective date of this order shall be twenty (20) days from and after the date hereof.

Dated at San Francisco, California, this 3rd day of May ~~March~~, 1927.

Ernest J. Smith

H. A. Bondage

C. S. Sawyer

Leon Whitall

Thos. R. R. Smith

commissioners.