

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the matter of application of Southern Pacific Company for an order authorizing the changing of the grade crossing of its double track Shattuck Avenue line across the single track of the Key System Transit Company at The Alameda and Solano Avenue in the City of Berkeley from a double track to a single track crossing; also the crossing of its double track Ninth Street line across the double tracks of the Key System Transit Company at San Pablo and Solano Avenues in the City of Albany, from a double track to a single track crossing; also the crossing of its double track Ninth Street line across the single track of The Atchison, Topeka and Santa Fe Railway Company near Masonic and Solano Avenues in the City of Albany, from a double track crossing to a single track crossing.

ORIGINAL

Application No. 13701.

BY THE COMMISSION:

O R D E R

Southern Pacific Company, a corporation, filed the above entitled application with this Commission on the 14th day of April, 1927, asking for authority to change the grade crossing of its Shattuck Avenue Line across the single track of the Key System Transit Company at The Alameda and Solano Avenue in the City of Berkeley, from a double track to a single track crossing at grade, also, the crossing at grade of its Ninth Street Line across the double tracks of the Key System Transit Company at San Pablo Avenue and Solano Avenue in the City of Albany, from a double track to a single track crossing at grade, and the crossing at grade of its Ninth Street Line across the single track of The Atchison, Topeka and Santa Fe Railway Company on Solano Avenue near Masonic Avenue in the City of

Albany from a double track to a single track crossing at grade. Said Key System Transit Company has signified by letter that it has no objection to the changing of the grade crossing of the Southern Pacific Company at The Alameda and Solano Avenue in the City of Berkeley, from double track to single track across its single track line, and the changing of the grade crossing of the Southern Pacific Company at San Pablo Avenue and Solano Avenue in the City of Albany from double track to single track over its double track line. Said Atchison, Topeka and Santa Fe Railway Company has signified by letter that it has no objection to the changing of the grade crossing of the Southern Pacific Company on Solano Avenue near Masonic Avenue from double track to single track over its single track main line.

It appears to the Commission that the present proceeding is not one in which a public hearing is necessary; that it is neither reasonable nor practicable to avoid grade crossings with said before-mentioned tracks and that this application should be granted, subject to the conditions hereinafter specified, therefore

IT IS HEREBY ORDERED that permission and authority be and it is hereby granted Southern Pacific Company to change its double track crossings to single track crossings at grade with the tracks of Key System Transit Company at the intersection of The Alameda and Solano Avenue in the City of Berkeley, State of California, and at the intersection of San Pablo Avenue with Solano Avenue in the City of Albany, State of California, at the locations as shown by the maps (East Bay Division Drawing No. 4117, Sheets 2 and 3) attached to the application, and said crossings to be constructed subject to the following conditions, namely:

(1) The entire expense of changing said crossings from double track to single track, together with the cost of their

maintenance thereafter in good and first-class condition, shall be borne by applicant.

(2) All cars or trains of Key System Transit Company shall stop before crossing the tracks of applicant and shall not proceed thereover until it has been ascertained that it is safe so to do.

(3) Applicant shall, within sixty (60) days of the date of this order, file with the Commission a duly executed copy or copies of agreement or agreements with said Key System Transit Company, covering the terms of installation, operation and maintenance of said crossings.

IT IS HEREBY FURTHER ORDERED that permission and authority be and it is hereby granted to Southern Pacific Company to change its double track crossing to a single track crossing at grade with the track of The Atchison, Topeka and Santa Fe Railway Company on Solano Avenue near Masonic Avenue in the City of Albany, State of California, at the location as shown on Map (East Bay Division Drawing No. 4117, Sheet 4) attached to the application, said crossing to be changed subject to the following conditions, namely:

(1) The entire expense of changing said crossing from double track to single track together with the cost of its maintenance thereafter in good and first-class condition shall be borne by applicant.

(2) Said crossing shall be protected by a full and complete first-class interlocking arrangement in accordance with plans hereafter to be approved by this Commission.

(3) Applicant shall, within sixty (60) days of the date of this order, file with the Commission a duly executed copy or copies of agreement or agreements with said Atchison, Topeka and Santa Fe Railway Company, covering the terms of installation, op-

eration, maintenance and protection of said crossing.

IT IS HEREBY FURTHER ORDERED that all of the crossings herein authorized shall be constructed subject to the following conditions, namely:

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

(2) If said crossings shall not have been changed from double track to single track within one 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.

(3) The Commission reserves the right to make such further orders relative to the location, construction, operation, maintenance and protection of said crossings 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.

The authority herein granted shall become effective on the date hereof.

Dated at San Francisco, California, this 13th day of May 1927.

Edward J. [Signature]
J. H. [Signature]
Al [Signature]
Leon [Signature]
Joe [Signature]

Commissioners.