

ORIGINAL

Decision No. 19642

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the matter of application of Southern Pacific Company for an order authorizing the construction at grade of a second main track across the double track line of the Fresno Traction Company, near the City of Fresno, County of Fresno, State of California.

Application No. 14453.

H. W. Hobbs, for Southern Pacific Company and Fresno Traction Company.

BY THE COMMISSION:

O P I N I O N

In this application Southern Pacific Company requests authority to construct a second main line track at grade across a double track street car line of Fresno Traction Company in the unincorporated portion of the County of Fresno near the northerly limits of the City of Fresno.

A public hearing was held before Examiner Cannon at Fresno on April 5th, 1928.

It appears, from the record, that Fresno Traction Company has no objection to the construction of the crossing and is willing to enter into an agreement with the applicant covering the terms of construction, maintenance and use of said crossing, which is satisfactory to this Commission. It further appears that applicant intends to protect said crossing with an automatic interlocking plant and that such type of protection is deemed satisfactory by the Commission's Engineers. It appears to this Commission that it is neither reasonable nor practicable at this time to provide a grade separation or to avoid a grade crossing at the point mentioned in this application with said tracks and that this applica-

tion should be granted, subject to the conditions hereinafter specified.

O R D E R

Southern Pacific Company, a corporation, having made application to this Commission for authority to construct a second main line track at grade across a double track main line of Fresno Traction Company, a public hearing having been held, the Commission being apprised of the facts, the matter being under submission and ready for decision, therefore,

IT IS HEREBY ORDERED that permission and authority be and it is hereby granted to Southern Pacific Company to construct a second main line track at grade across the double track main line of Fresno Traction Company between Fresno and Roeding Park in the vicinity of Fresno, County of Fresno, State of California, at the location hereinafter particularly described and as shown by the map (San Joaquin Divn. AB-3418) attached to the application.

Description of Crossing

COMMENCING at a point distant 13.0 feet measured southwesterly at right angles to the center line of the Central Pacific Railway Company's main line railroad track at Engineer Station 5810+24.3; thence South 41° 47' East, parallel to said center line of said Railway Company's main line railroad track a distance of 14.0 feet to end of center line above described.

Said crossing shall be constructed subject to the following conditions, namely:

(1) Applicant shall, within sixty (60) days from the date of this order, file with the Commission a duly executed copy or copies of agreement or agreements with said Fresno Traction Company, covering the terms of installation, operation and maintenance of said crossing.

(2) Before said second main line track is placed in regular service, said crossing, and that of the adjacent existing cross-

ing of the main line track of Southern Pacific Company with the tracks of Fresno Traction Company, shall be protected by an automatic interlocking plant, installed in accordance with all requirements of General Order No. 33-a of this Commission.

(3) If said crossing shall not have been installed 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.

(4) 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.

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

Dated at San Francisco, California, this 20th day of April, 1928.

Leon White
Al Seamy
Ernest Lee
John S. Lewis
M. J. Carr
Commissioners.