

**ORIGINAL**Decision No. 19802.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application  
of the COUNTY OF PLACER for a per-  
mit for a railroad crossing over  
the Southern Pacific main track  
about one-fourth mile west of the  
Loomis Depot.

Application No. 14305.

H. N. Leak and B. Mehl, for Applicant,

H. W. Hobbs for Southern Pacific Company,  
Protestant.

## BY THE COMMISSION:

The Board of Supervisors of the County of Placer, State of California, filed the above entitled application with this Commission on the 28th day of December, 1927, asking for authority to construct a public road at grade across the tracks of Southern Pacific Company about one-fourth mile west of Loomis Station, County of Placer, State of California.

A public hearing on this matter was conducted by Examiner Satterwhite at Auburn on May 9th, 1928, the matter was duly submitted and is now ready for decision.

Mr. H. N. Leak and Mr. B. Mehl were the only appearances in support of the application. Mr. Mehl testified that he was the owner of farm property located east of the Southern Pacific Company's tracks and the only present means of ingress and egress to his property was by the use of a road running along the east side of the Southern Pacific Company's right of way connecting with the existing road crossing the Southern Pacific Company's tracks approximately 1,800 feet north of the proposed crossing. He further testified that the proposed route would reduce the distance now traversed between his farm and the packing houses in Loomis by nearly one mile. He expressed an opinion that Southern Pacific

Company would oppose any improvement of the existing poor road along its right of way.

Mr. H. N. Leak stated that the Loomis Fruit Growers' Association had given its consent for the construction of the proposed road across its property to a connection with the State Highway. However, he was not informed as to whether or not the Board of Supervisors of Placer County would be willing to improve the proposed road. Mr. Leak testified that the proposed crossing would serve four or five farmers, but if the Southern Pacific Company is willing to permit improvement of the existing road along its right of way, either by the farmers or the Board of Supervisors or both, it would materially relieve the necessity for the proposed crossing.

Southern Pacific Company's representative testified that the proposed crossing over the Company's westbound main line, siding, house-track and three spur tracks would not only present a very hazardous crossing but would cross the company's yard where considerable future development is contemplated.

It appears that due to the necessity of more trackage at this location for the handling of increased business, Southern Pacific Company during October, 1927, completed the rearrangement of spur tracks at a cost of \$8,900. which provided for the storing of twelve additional cars. It is evident that if the proposed crossing were constructed it would deprive the Company of the use of a portion of said additional trackage sufficient for the storage of six or eight cars.

The Company's witness stated that if the farmers desired the improvement of the existing road along the Southern Pacific Company's right of way, he was of the opinion that the Company would willingly grant such permission provided the farmers or Board of Supervisors of Placer County would make proper application.

The regular scheduled train movements over the proposed crossing consists of seven westbound passenger trains, two eastbound passenger trains and two local freight movements daily. The speed of these passenger trains varies from twenty-five miles per hour to fifty miles per hour. During the heavy fruit season, at which time the road traffic would be at a maximum, the regular scheduled train movements are increased by twenty-five additional movements daily.

The view at this crossing is not seriously impaired from the west but from the east it is quite seriously impaired due to a considerable amount of high ground.

After due consideration of all the evidence presented in this proceeding, it appears that public convenience and necessity does not justify the granting of this application and the order following will so provide:

#### ORDER

The County of Placer having made application for authority to construct a public road across the tracks of Southern Pacific Company about one-fourth mile west of Loomis Station, County of Placer, State of California, 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 found as a fact that public convenience and necessity does not justify the granting of this application, therefore

IT IS HEREBY ORDERED that the above entitled application be and it is hereby denied without prejudice.

The foregoing Opinion and Order are hereby filed as the Op-

inion and Order of the Railroad Commission of the State of California.

Dated at San Francisco, California, this 23<sup>rd</sup> day of May, 1928.

Leon White

CC [unclear]

Thos [unclear]

[unclear]  
Commissioners.