

Decision No. 20192

**ORIGINAL**

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the application of  
 SOUTHERN PACIFIC COMPANY, a corporation,  
 SOUTHERN PACIFIC RAILROAD COMPANY, a corporation,  
 and LOS ANGELES & SALT LAKE RAILROAD COMPANY,  
 a corporation, for an Order authorizing the construction,  
 maintenance and operation, at grade, of (1) certain  
 connecting tracks between their respective lines of  
 railroad, and certain other tracks, over and across  
 certain public streets, and (2) a railroad crossing  
 between their respective lines of railroad at a point  
 in Alhambra Avenue, all within the City of Los Angeles,  
 State of California.

Application No. 10032.

BY THE COMMISSION:

FIRST SUPPLEMENTAL ORDER

Southern Pacific Company, Southern Pacific Railroad Company and Los Angeles and Salt Lake Railroad Company, applicants herein, on May 23rd, 1928, filed their supplemental application with this Commission, requesting an extension of time from that specified in the Commission's Order Extending Time, dated September 20th, 1927, for the completion of the work authorized in the Commission's Decision No. 13923, dated August 16th, 1924, in Application No. 10032; also requesting authority to construct a second railroad track, on the east bank of the Los Angeles River, at grade across the double-track street car line of the Los Angeles Railway Corporation, located in North Main Street in the City of Los Angeles.

By an Order Extending Time, issued August 16th, 1928, the Commission granted applicants an extension of time, in which to complete the work authorized in said Decision No. 13923, to August 16th, 1929. The instant decision, therefore, will deal only with that

portion of the application seeking permission to construct a crossing over the tracks of the Los Angeles Railway Corporation at North Main Street.

The Los Angeles and Salt Lake Railroad Company has, at the present time, a single track along the east bank of the Los Angeles River which crosses the double-track street car line of the Los Angeles Railway Corporation at North Main Street; this crossing will hereinafter be referred to as the crossing adjacent to the one herein proposed.

In said Decision No. 13923, applicants were granted authority to construct their second track over and across a number of public streets in the City of Los Angeles, one of which was North Main Street, but authorization was not given in this order for the construction of this track across the double-track street car line of the Los Angeles Railway Corporation, laid in North Main Street. It is apparent that applicants cannot exercise the authority heretofore granted to construct their track at grade across North Main Street, unless permission is given to cross the said street car tracks, authority for which is sought herein.

Public hearings have been held in this proceeding and it appears to the Commission that the matter now under consideration is not one in which further public hearings are necessary; therefore,

IT IS HEREBY ORDERED that Southern Pacific Company, Southern Pacific Railroad Company and Los Angeles and Salt Lake Railroad Company, applicants herein, be and they are hereby granted authority to construct a second track, on the east bank of the Los Angeles River, at grade across the double-track street car line of the Los Angeles Railway Corporation, located in North Main Street, in the City of Los Angeles, County of Los Angeles, State of California, as shown by a dotted line on the blue-print, (Exhibit "A"), attached to the supplemental application. The description of the

center line of said second track is set forth in Decision No.13923 (C.R.C. 25, page 284).

Said crossing shall be constructed subject to the following conditions and not otherwise:

(1) The entire expense of constructing the crossing, together with the cost of its maintenance thereafter in good and first-class condition, shall be borne by applicants.

(2) All trains, engines, motors and cars operated on the said tracks of the Los Angeles Railway Corporation, shall be brought to a full stop within a safe distance from said crossing and existing adjacent rail crossing and shall not proceed thereover until after receiving a signal to proceed from an authorized officer maintained for the protection of said crossings.

(3) A uniformed officer or officers, with adequate police authority, shall, at all times, be maintained for the protection of said crossing and existing adjacent rail crossing, except at such times when no trains, engines, motors or cars are operated over the said crossings on either the tracks of any or all of the applicants herein or Los Angeles Railway Corporation. The expense of maintaining such uniformed officer or officers shall be borne equally by applicants herein and the Los Angeles Railway Corporation.

(4) The human flagmen now maintained for the protection of the existing crossing, constructed adjacent to the one herein proposed, may be discontinued if and when the proposed crossing is constructed and placed in operation pursuant to the provisions of this order.

(5) Applicants shall not use the granting of this application either by way of defense or argument on the ground of capital expenditure or any other ground against any order, or in any proceeding now or hereafter pending before this Commission or any other Commission, court, or public tribunal, providing for or looking toward railroad or terminal unification in the City of Los Angeles.

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

(7) If said crossing shall not have been installed on or before August 16th, 1929, the authorization herein granted shall then lapse and become void, unless further time is granted by subsequent order.

(8) 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 effective date of this order shall be twenty (20) days from the date hereof.

Dated at San Francisco, California, this 31st day of August, 1929.

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*E. S. Seaver*  
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*E. M. Seaver*  
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*M. J. Curran*  
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Commissioners.