

ORIGINAL

Decision No. 21659

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 cor-
 poration, and LOS ANGELES & SALT LAKE RAIL-
 ROAD 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:

SECOND SUPPLEMENTAL ORDER.

The Los Angeles Railway Corporation, on October 11th, 1928, filed with this Commission a Petition for Modification of First Supplemental Order in the above entitled proceeding, wherein it was requested that the Commission revise Condition (3) of its Order in Decision No. 20192, dated August 31st, 1928, which deals with the matter of providing a uniformed officer for the protection of the grade crossing of the tracks of said Los Angeles Railway Corporation and the tracks of the Los Angeles and Salt Lake Railroad Company.

The Los Angeles and Salt Lake Railroad Company, on February 25th, 1929, filed a Second Supplemental Application with this Commission, requesting that a Second Supplemental Order be issued, approving a revised location of said company's tracks across Alhambra Avenue and North Main Street, respectively, all in accordance with a map filed with the Supplemental Application

and designated as Exhibit "B."

With respect to the matter of providing appropriate protection for the grade crossing of the street railway and railroad tracks at North Main Street, the file shows that the parties have entered into an agreement, dated February 20th, 1929, section (11) of which provides in accordance with the terms of the Commission's order, that the crossing shall be protected by a uniformed traffic officer and that the cost of maintaining such protection shall be borne equally by the two parties. The agreement further provides as to how the parties shall arrange for the payment of such protection and that the time that uniformed officer protection is to be maintained at the crossing shall be in accordance with a plan agreed to by the parties or ordered by competent governmental authority. Condition (3) of the Commission's order in its Decision No. 20192 provides that uniformed officer protection shall be maintained at this crossing at all times except when no trains, engines, motors or cars are operated over the said crossing on either of the tracks of either party. It appears that this requirement is reasonable and should not be modified.

With respect to authorizing a relocation for the construction of the proposed tracks over Alhambra Avenue and North Main Street, respectively as requested in the Second Supplemental Application of the Los Angeles and Salt Lake Railroad Company, it appears that this request is reasonable and should be granted; therefore,

IT IS HEREBY ORDERED that the Los Angeles and Salt Lake Railroad Company, Southern Pacific Railroad Company and Southern Pacific Company be and they are hereby authorized to construct a second track at grade across North Main Street and the tracks of the Los Angeles Railway Corporation, laid in North Main Street,

in accordance with the description shown in said Second Supplemental Application and as shown in yellow on Exhibit "A" attached thereto, in lieu of the crossing at North Main Street heretofore authorized in this proceeding. The cost of construction, maintenance and protection of said railroad crossing of Los Angeles Railway shall be borne in accordance with agreement dated February 20, 1929, between the parties.

IT IS HEREBY FURTHER ORDERED that the Los Angeles and Salt Lake Railroad Company, Southern Pacific Railroad Company and Southern Pacific Company be and they are hereby authorized to construct a second track across Alhambra Avenue and the tracks of Southern Pacific Company, laid therein, in accordance with the descriptions set forth in said Second Supplemental Application and as shown in yellow on Exhibit "A" attached to the application, in lieu of the crossing at Alhambra Avenue heretofore granted in this proceeding. The cost of construction, maintenance and protection of said railroad crossing with Southern Pacific Company shall be borne in accordance with agreement to be entered into between the parties and filed with the Commission prior to the installation thereof.

IT IS HEREBY FURTHER ORDERED that the time limit for the compliance with the Commission's Decision No. 13923, of August 16, 1924, as specified in Order Extending Time, of August 3, 1929, and the time limit for the compliance with the First Supplemental Order (Decision No. 20192) of August 31, 1928, be and the same are hereby extended to and including December 31, 1930.

IT IS HEREBY FURTHER ORDERED that the Petition for Modification of First Supplemental Order, filed by Los Angeles Railway

Corporation, dealing with the matter of protecting movements on its track over the crossing involved at North Main Street, be and the same is hereby denied.

In all other respects this Commission's order heretofore entered in the above entitled proceeding shall remain in full force and effect.

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

Dated at San Francisco, California, this 14th day of October, 1929.

Thos D. Lovitt
A. S. Sweeney
Edward J. ...
Leon ...
M. J. ...
 Commissioners.