

Decision No. 22413.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the Matter of Application of Inter-California Railway Company and Southern Pacific Company for an order authorizing construction at grade of an extension of Inter-California Railway Company's line of railroad from Sandia, California to Holtville, California, across public roads and streets, all in the County of Imperial, State of California.

Application No. 16372.

BY THE COMMISSION:

O P I N I O N

Inter-California Railway Company and Southern Pacific Company, corporations, filed the above entitled application with this Commission on the 15th day of March, 1930, asking for authority to construct an extension of the railway line of the Inter-California Railway Company, a distance of approximately 5.7 miles across nine (9) public roads in the County of Imperial, and five (5) streets in the City of Holtville, County of Imperial, as hereinafter set forth.

The County of Imperial has granted authority to construct said railway line across said nine (9) public roads subject to certain restrictions with reference to type of crossings and protection. The City of Holtville has agreed to the construction of the line of railroad across said five city streets at grade, providing the railway will agree to construct at its sole expense a separation of grades at the crossing of Fifth Street, if and when the State Highway known as U.S. Highway No. 80 is routed along said street.

Applicants in a letter of May 1, 1930, state they are desirous of making a further investigation of the crossing of

Fifth Street in the City of Holtville, but are agreeable to all other requirements of said permits and ask that the Commission act as to all crossings except that of Fifth Street, reserving action with reference thereto to such time as applicants have completed their studies. It is concluded that this request is reasonable. The matter of the crossing of Fifth Street in the City of Holtville will be disposed of by Supplemental Order at a later date. Excluding the crossing of Fifth Street, it appears to this Commission that the present proceeding is not one in which a public hearing is necessary; that it is neither reasonable nor practicable at this time to provide grade separations or to avoid grade crossings at the points mentioned in this application with said public roads and streets, and that the 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 to Inter-California Railway Company and Southern Pacific Company to construct the railway line of the Inter-California Railway Company at grade across Pepper Road, Pomelo Road, Palm Road, Pine Road, Plum Road, Peach Road, Pampas Road, Palmetto Road and Pear Road in the County of Imperial and at grade across Eleventh Street, Ninth Street, Sixth Street and Fourth Street in the City of Holtville, County of Imperial, State of California, at the locations particularly described in the application and by reference herein made a part hereof and as shown by the maps (Drawing No. 21858, Sheets 1 to 4 and Drawing No. 21861, Sheet 1) attached to the application.

The above described crossings shall be identified as follows:

<u>Name of Road</u>	<u>Crossing No.</u>	<u>Name of Road</u>	<u>Crossing No.</u>
Pepper Road,	BNB-697.7	Palmetto Road	BNB-701.2
Pomelo Road,	BNB-698.2	Pear Road,	BNB-701.7
Palm Road,	BNB-698.7	Eleventh Street,	BNB-702.0
Pine Road,	BNB-699.2	Ninth Street,	BNB-702.4
Plum Road,	BNB-699.7	Sixth Street,	BNB-703.0
Peach Road,	BNB-700.2	Fourth Street,	BNB-703.4
Pampas Road,	BNB-700.7		

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

(1) The entire expense of constructing the crossings together with the cost of their maintenance thereafter in good and first-class condition for the safe and convenient use of the public, shall be borne by applicants.

(2) Said crossings, except the crossing of Pine Road, (Crossing BNB-699.2) shall be constructed equal or superior to type shown as Standard No. 2, in General Order No. 72 of this Commission and shall be constructed of a width to conform to those portions of said roads and streets now graded, with the tops of rails flush with the roadway, and with grades of approach not exceeding six (6) per cent; shall be protected by Standard No. 1 crossing signs as specified in General Order No. 75 of this Commission and shall in every way be made suitable for the passage thereover of vehicles and other road traffic.

(3) Said crossing of Pine Road (Crossing No. BNB-699.2) shall be constructed equal or superior to type shown as Standard No. 3 in General Order No. 72 of this Commission and shall be constructed of a width to conform to that portion of said road now graded, with tops of the rails flush with the pavement and with grades of approach not exceeding three (3) per cent, shall be pro-

tected by a Standard No. 3 wigwag as specified in General Order No. 75 of this Commission and shall be made suitable for the passage thereover of vehicles and other road traffic.

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

(5) If said crossings 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.

(6) 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 7th day of May, 1930.

Leon Whittell
W. S. Lewis

W. F. Carr

Commissioners.