

Decision No. 22599.**ORIGINAL**

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the matter of the Application of
 The People of the State of California,
 on relation of the Department of Public
 Works, Division of Highways, for
 an order authorizing the construction of
 a subway under the tracks of the
 Southern Pacific Railroad near Emigrant
 Gap, Placer County, California, to be
 known as the Emigrant Gap Subway.

Application No. 16545.

BY THE COMMISSION:

O R D E R

The People of the State of California, on relation of the Department of Public Works, Division of Highways, filed the above entitled application with this Commission on the 14th day of May, 1930, asking for authority to construct a highway under the tracks of Southern Pacific Company near Emigrant Gap, Placer County. Southern Pacific Company has signified by letter that it has no objection to the construction of said undergrade crossing providing the existing grade crossing is abandoned and it appears to this Commission that the present proceeding is not one in which a public hearing is necessary and that it is in the interest of public convenience and necessity that the subway be constructed and that this application should be granted subject to the conditions hereinafter specified, therefore,

IT IS HEREBY ORDERED that the People of the State of California, on relation of the Department of Public Works, Division of Highways, be and they are hereby authorized to construct an

undergrade crossing under the tracks of Southern Pacific Company in the vicinity of Emigrant Gap, County of Placer, State of California, substantially in accordance with the plan attached to the application and at the location shown on said plan.

The above crossing shall be identified as Crossing No. A-172.1-B.

Said crossing to be constructed subject to the following conditions:

(1) Said undergrade crossing shall be constructed with clearances conforming to provisions of this Commission's General Order No. 26-C.

(2) The cost of said undergrade crossing shall be borne in accordance with the terms of an agreement hereinafter to be entered into between the interested parties, a copy of which shall be filed with the Commission. Said agreement shall be subject to the approval of this Commission.

(3) Applicant shall, before commencement of construction, file with this Commission detailed plans of the proposed grade separation.

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

(5) 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.

(6) The Commission reserves the right to make such further orders relative to the location, construction, operation

maintenance and protection of said undergrade 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 30th day of June, 1930.

Al Seaver

Leon Whiteley
Thos. J. Larkin

Commissioners.