

Decision No. 23083.

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 State Highway undergrade crossing under the tracks of the Southern Pacific Company at New England Mills, Placer County, California, known as New England Mills undergrade crossing.

ORIGINAL

Application No. 16982.

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, on October 30, 1930, applied for authority to construct a State Highway, designated as Road III-Pla-37-B, at separated grades under the main line tracks of Southern Pacific Company at New England Mills, County of Placer, State of California. Southern Pacific Company, on November 4, 1930, signified, in writing, that it had no objection to the construction of said undergrade crossing. It appearing that a public hearing is not necessary herein; that it is in the interest of public convenience and necessity that the undergrade crossing be constructed and that the application should be granted, subject to the following conditions,

IT IS HEREBY ORDERED that the People of the State of California, on relation to the Department of Public Works, Division of Highways, is hereby authorized to construct a State Highway, designated as Road III-Pla-37-B, at separated grades

under the main line tracks of Southern Pacific Company at New England Mills, County of Placer, State of California, at the location and substantially in accordance with the plan as shown by the map (Exhibit "A") attached to the application, subject to the following conditions:

- (1) The above crossing shall be identified as Crossing No. AI-137.6-B.
- (2) The entire expense of constructing and thereafter maintaining the crossing in good and convenient use of the public shall be borne in accordance with an agreement approved by this Commission, a certified copy of which shall be filed within ninety (90) days after the date hereof. Should said agreement not be filed within the above time and further time not be granted by subsequent order, said costs will be apportioned by supplemental order herein.
- (3) Applicant shall file, for approval, within ninety (90) days from the date hereof and prior to the commencement of construction, a set of plans for said crossing, which plans shall have been approved by Southern Pacific Company.
- (4) Said crossing shall be constructed with clearances conforming to the provisions of our General Order No. 26 C.
- (5) Upon the opening of the undergrade crossing herein authorized, applicant shall cause to have the existing public grade separation located approximately two hundred feet east of the crossing herein authorized and designated as Crossing No. AI-137.7-B, legally abandoned and effectively closed to public use and travel.
- (6) Applicant shall, within thirty (30) days thereafter, notify this Commission, in writing, of the completion of the installation of said crossing and of its compliance with the conditions hereof.
- (7) The authorization herein granted shall lapse and become void if not exercised within one (1) year from the date hereof unless further time is granted

by subsequent order.

The authority herein granted shall become effective on the date hereof.

Dated at San Francisco, California, this 17th day of November, 1930.

Al. J. ...
Emilia ...
Leon ...

Commissioners.