

Decision No. 23214.

## BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the matter of application of Southern Pacific Company for an order authorizing the construction at grade of a standard gauge railroad track across "B" Street in the Port Area of the City of Oakland, County of Alameda, State of California.

**ORIGINAL**

Application No. 17072.

BY THE COMMISSION:

ORDER

Southern Pacific Company, a corporation, on December 20th, 1930, applied for authority to construct a railroad track at grade across "B" Street, in the City of Oakland, County of Alameda, State of California. The necessary franchise or permit (Resolution No. 1926) has been granted by the Board of Port Commissioners of the said city for the construction of said crossing at grade. It appearing that a public hearing is not necessary herein; that it is neither reasonable nor practicable at this time to provide a grade separation or to avoid a grade crossing at the point mentioned and that the application should be granted subject to certain conditions,

IT IS HEREBY ORDERED that Southern Pacific Company is hereby authorized to construct a railroad track at grade across "B" Street, in the City of Oakland, County of Alameda, State of California, at the location more particularly described in the application and as shown by the map (Western Div'n. Drawing O-1209, Sheet No. 2), attached thereto, subject to the following conditions:

- (1) The above crossing of "B" Street shall be identified as Crossing No. A-4.25-C.

- (2) The entire expense of constructing and thereafter maintaining the crossing in good and first-class condition for safe and convenient use of the public, shall be borne by applicant.
- (3) Said crossing shall be constructed equal or superior to the type shown as Standard No. 2, in our General Order No. 72, and shall be constructed of a width to conform to portion of said street now graded, with the tops of rails flush with the pavement and with grades of approach not exceeding three (3) per cent, and shall be protected by a Standard No. 1 crossing sign, as specified in our General Order No. 75.
- (4) No train, engine, motor or car shall be operated over said crossing unless said train, engine, motor or car shall be first brought to a stop and traffic on the highway protected by a member of the train crew or other competent employee acting as flagman.
- (5) 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.
- (6) 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.
- (7) 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, public convenience and necessity demand such action.

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

Dated at San Francisco, California, this 24th day of December, 1930.

Cl. Seavey

Leon Sevelidny

John D. Quinn

Commissioners.