

Decision No. 23268

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 spur tracks in, along and across Second Street, Harrison Street, Hawthorne Street, Folsom Street and Tehama Street, in the City and County of San Francisco, State of California.

ORIGINAL

Application No. 16952.

BY THE COMMISSION:

ORDER

Southern Pacific Company, a corporation, filed its amended application in this proceeding with the Commission on the 20th day of December, 1930, asking for authority to construct spur tracks at grade across Second, Harrison, Hawthorne and Folsom Streets in the City and County of San Francisco, State of California and across double track street car line of Market Street Railway Company in Second Street near Harrison Street, all as hereinafter set forth. The necessary franchise or permit (Ordinance No. 3810 N.S.) has been granted by the Board of Supervisors of said City and County for the construction of said crossings at grade and applicant has filed with the Commission a copy of a letter from the Market Street Railway Company agreeing to the installation of a crossing with its tracks, subject to the terms of an agreement to be executed before construction is started. 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 streets and street railway tracks and that this application should be granted subject to the conditions hereinafter specified, therefore

IT IS HEREBY ORDERED:

I. That permission and authority be and it is hereby granted to Southern Pacific Company to construct spur tracks at grade across Second, Harrison, Hawthorne and Folsom Streets in the City and County of San Francisco, State of California, at the locations particularly described in the application and as shown by the map (Coast Division Drawing 15412, Revised November 18, 1930,) attached to the amended application.

The above crossings shall be identified as follows:

Second Street,	Crossing No. ED-0.545-C
Harrison Street,	Crossing No. ED-0.60-C
Harrison Street,	Crossing No. ED-0.62-C
Hawthorne Street,	Crossing No. ED-0.64-C
Folsom Street,	Crossing No. ED-0.74-C
Hawthorne Street,	Crossing No. ED-0.79-C

Said crossings to 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 applicant.
- (2) Said crossings shall be constructed substantially in accordance with Standard No. 4, in General Order No. 72 of this Commission and shall be constructed without superelevation and of a width to conform to those portions of said streets now graded, with the tops of rails flush with the roadway, and with grades of approach conforming as nearly as practicable with the official grades of said streets; 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) No train, engine, motor or car shall be operated over Crossings Nos. ED-0.545-C, ED-0.62-C, ED-0.64-C or ED-0.74-C, unless said train, engine, motor or car shall be under full control and unless traffic on the highway be protected by a member of the train crew or other competent employee acting as flagman.

II. That Southern Pacific Company is hereby authorized to construct a spur track at grade across the street railway tracks of Market Street Railway Company near the intersection of Second and Harrison Streets and two (2) spur tracks across the street railway tracks of said Market Street Railway Company at the intersection of Folsom Street and Hawthorne Street in the City and County of San Francisco, State of California, as shown by the map attached to the application subject to the following conditions:

- (1) The entire expense of constructing and thereafter maintaining said crossings in good and first-class condition for safe and convenient railway use shall be borne in accordance with the terms of an agreement between said railway companies, a certified copy of which shall be filed with this Commission prior to the construction of said crossings.
- (2) All trains, motors, engines and cars of applicant shall stop before proceeding across said crossings and shall not pass thereover until a member of the train crew or other competent employee has gone upon the crossing to ascertain that it is safe so to do and shall have given a suitable signal to proceed.

III. That this authority is granted subject to further conditions as follows:

- (1) Applicant shall, within thirty (30) days thereafter, notify this Commission, in writing, of the completion of the installation of said crossings.
- (2) 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.
- (3) 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 9th day of January, 1931.

C. L. Sweeney
Leon Whitwell
Fred G. Stewart
W. P. Kim
M. B. Linn

Commissioners.