

Decision No. 23590.

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 spur track crossing
 main track of the Pacific Coast
 Railway Company in the City of San
 Luis Obispo, County of San Luis
 Obispo, State of California.

ORIGINAL

Application No. 17248.

BY THE COMMISSION:

ORDER

Southern Pacific Company, a corporation, on March 12, 1931, applied for authority to construct a spur track at grade across the track of Pacific Coast Railway Company in the City of San Luis Obispo, County of San Luis Obispo, State of California. Applicant alleges that said Pacific Coast Railway Company is agreeable to the proposed crossing and that an agreement will be entered into between the railroads covering the terms of its construction, maintenance and operation.

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 spur track at grade across the track of Pacific Coast Railway Company in the City of San Luis Obispo, County of San Luis Obispo, State of California, at the location as shown on the map (Coast Division Drawing No. 20574) attached to the application, subject to the following conditions:

- (1) The entire expense and thereafter maintaining the crossing in good and first-class condition for safe and convenient railway use shall be borne in accordance with an agreement approved by this Commission, a certified copy of which shall be filed within sixty (60) days after the date of this order unless further time is granted by subsequent order. In the event no agreement is reached nor entered into by the parties, this order becomes null and void and of no further effect.
- (2) All trains, motors and engines of applicant and of Pacific Coast Railway Company shall stop before proceeding across said crossing 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.
- (3) 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.
- (4) 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.
- (5) 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 9th day of April, 1931.

C. S. Jensen

W. A. Cunn

M. B. Harris

Commissioners.