

Decision No. 23704.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of
The Western Pacific Railroad Company
for permission to construct, maintain
and operate ten (10) road crossings at
grade of a line of railroad across
public roads in the County of Lassen,
State of California.

ORIGINAL

Application No. 17347.

BY THE COMMISSION:

ORDER

The Western Pacific Railroad Company, a corporation, on May 6, 1931, applied for authority to construct its main line track at grade across certain county roads at ten locations designated as Mile Posts 52, 56.58, 59.22, 67.32, 69.92, 72.54, 75.31, 78.70, 82.94 and 86.59 on said proposed line of railroad between Westwood and Bieber, County of Lassen, State of California. The Board of Supervisors of said County passed a resolution on April 7, 1931, approving the construction of said crossings at grade. It appearing that a public hearing is not necessary herein; that it is neither reasonable nor practicable, at this time, to provide grade separations or to avoid grade crossings at the points mentioned and that the application should be granted, subject to certain conditions,

IT IS HEREBY ORDERED that The Western Pacific Railroad

Company is hereby authorized to construct its main line track at grade across various county roads at ten locations between Westwood and Bieber on its proposed line of railroad, County of Lassen, State of California, at the locations more particularly described in the application and as shown by the maps (Exhibits A, B, C, D, E, F, G, H, I and J) attached thereto, subject to the following conditions:

- (1) The above crossings shall be identified as follows:

<u>Location</u>	<u>Crossing No.</u>	<u>Location</u>	<u>Crossing No.</u>
M.P. 52	4K-52.0	M.P. 72.54	4K-72.5
M.P. 56.58	4K-56.6	M.P. 75.31	4K-75.3
M.P. 59.22	4K-59.2	M.P. 78.70	4K-78.7
M.P. 67.32	4K-67.3	M.P. 82.94	4K-82.9
M.P. 69.92	4K-69.9	M.P. 86.59	4K-86.6

- (2) The entire expense of constructing and thereafter maintaining the crossings in good and first-class condition for safe and convenient use of the public, shall be borne by applicant.
- (3) Said crossings 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 those portions of said roads now graded, with the tops of rails flush with the roadway and with grades of approach as shown on the above mentioned exhibits and each shall be protected by a Standard No. 1 crossing sign, as specified in our General Order No. 75.
- (4) Applicant shall install and maintain farm gates on each side of the track at Crossings Nos. 4K-69.9, 4K-78.7 and 4K-86.6.
- (5) Applicant shall, within thirty (30) days thereafter, notify this Commission, in writing, of the completion of the installation of said crossings 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 crossings, 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 18th day of May, 1931.

C. L. Severy
Leon Sullivan
W. A. Cunniff
W. B. Harris
Fred G. Stewart
 Commissioners.