

ORIGINAL

Decision No. 23770.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of Great Northern Railway Company for an order authorizing it to construct, operate and maintain a line of railroad at grade over and across the tracks of the Modoc Northern Branch of the Central Pacific R.R. Company near Stronghold, Modoc County, California.

Application No. 17366.

BY THE COMMISSION:

ORDER

Great Northern Railway Company, a corporation, on May 14, 1931, applied for authority to construct a main line track at grade across a main line track of Southern Pacific Company in the vicinity of Stronghold, County of Modoc, State of California. Applicant alleges that said Southern Pacific Company is agreeable to the proposed crossing, to be protected by an automatic interlocker. Applicant proposes to assume the expense of construction, maintenance and operation of said crossing and said interlocker. A contract embodying said terms will be drawn and executed by said railroad companies and a copy thereof furnished to the Commission. On May 27, 1931, Southern Pacific Company advised this Commission, by letter, that it had no objection to the granting of this application.

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 the Great Northern Railway Company is hereby authorized to construct its track at grade across the track of Southern Pacific Company in the vicinity of Stronghold, County of Modoc, State of California, at the location more particularly described in the application and as shown by the map (XL5-405-9) attached thereto, subject to the following conditions:

- (1) The entire expense of constructing and thereafter maintaining the crossing, including automatic interlocker therefor, in good and first-class condition for safe and convenient railway use, shall be borne by applicant.
- (2) Said crossing shall be protected by an automatic interlocking plant in conformity with the provisions of the Commission's General Order No. 33-A and in accordance with plans having been approved by this Commission.
- (3) Until the automatic interlocker is placed in service all trains of both railroad companies, before passing over said crossing, shall come to a full stop within two hundred (200) feet thereof and after ascertaining that no trains are approaching the crossing on the intersecting line may then proceed over said crossing.
- (4) 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.
- (5) 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.
- (6) 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 effective date of this order shall be twenty (20) days from the date hereof.

Dated at San Francisco, California, this 8th day of June, 1931.

C. L. Seaver
Leon Whitney
M. J. Lee
M. B. Harris
Frederic G. Stewart
Commissioners.