

Decision No. 23855.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of  
BUCKSPORT & ELK RIVER RAILROAD COMPANY,  
to construct, maintain and operate, at  
grade, railroad crossings in the County  
of Humboldt, State of California.

Application No. 17482.

BY THE COMMISSION:

ORDER

ORIGINAL

Bucksport and Elk River Railroad Company, a corporation, on June 24th, 1931, applied for authority to construct its main line and one siding at grade across a spur track of Northwestern Pacific Railroad Company in the vicinity of Holmes-Eureka Lumber Company's mill, Bucksport, County of Humboldt, State of California. Northwestern Pacific Railroad Company has signified, in writing, that it has no objection to 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 Bucksport and Elk River Railroad Company is hereby authorized to construct its main line track and a siding at grade across a spur track of Northwestern Pacific Railroad Company, serving Holmes-Eureka Lumber Company at Bucksport, County of Humboldt, State of California, at the location more particularly described in the application and as shown

by the map (Exhibit A), attached thereto, subject to the following conditions:

- (1) The entire expense of constructing 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 one hundred and twenty (120) days after the date of this order. Should said agreement not be filed within the above time and further time not be granted by subsequent order, said costs will be apportioned by supplemental order.
- (2) All trains, motors, engines and cars of applicant and of Northwestern Pacific Railroad 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 and has ascertained that it is safe so to do and shall have given a suitable signal to proceed.
- (3) Applicant shall erect permanent stop signs not less than One hundred and fifty (150) feet from said crossing on each line of railroad.
- (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 authority herein granted shall become effective on the date hereof.

Dated at San Francisco, California, this 29<sup>th</sup> day of June, 1931.

Cl. S. Sweeney  
Leon S. Sweeney  
W. A. C. C.  
W. B. Harris  
Fred G. Stewart

Commissioners.