

Decision No. 23928.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

<p>In the matter of the application of GREAT NORTHERN RAILWAY COMPANY for Permission to Construct, Main- tain and Operate a Main Line of Railroad Over and Across Certain County Roads and other Public Roads in the Counties of Lassen and Modoc, State of California.</p>)
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ORIGINAL

Application No. 17473.

BY THE COMMISSION:

O R D E R

Great Northern Railway Company, a corporation, on June 20th, 1931, applied for authority to construct its main line track at grade across public roads at fourteen locations in the County of Modoc and at separated grades at one location and at grade at one location in the County of Lassen, and on July 13th, 1931, made its supplemental application for permission to construct its main line track at grade across eight additional public roads in the County of Modoc, State of California.

The Boards of Supervisors of Modoc and Lassen Counties, by resolution, the U. S. Reclamation Service and the U. S. Forest Service have signified, in writing, that they have 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 grade separations or to avoid grade crossings at the points of proposed crossings at grade and that it is in the

interest of public convenience and necessity that the proposed grade separation be constructed 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 main line track

I. At grade across twenty-two public roads designated as follows:

County Road at G.N.Sta.1367+85.4, in Sec. 17, T.48 N.,R.5 E.,M.D.M.
U.S.R.S.at G.N.Sta.1432+38.1 in Secs. 20 & 29, T.48 N.,R.5 E.,M.D.M.
U.S.R.S.at G.N.Sta.1485+05.2 in Secs. 29 & 32, T.48 N.,R.5 E.,M.D.M.
U.S.R.S.at G.N.Sta.1538+08.3 in (Sec. 4, T.47 N.,R.5 E.,M.D.M. and (Sec. 52, T.48 N.,R.5 E.,M.D.M.
U.S.R.S.at G.N.Sta.1590+82.5 in Secs. 4 & 9, T.47 N.,R.5 E.,M.D.M.
U.S.R.S.at G.N.Sta.1641+71.5 in Secs. 9 & 16, T.47 N.,R.5 E.,M.D.M.
U.S.R.S.at G.N.Sta.1694+52.6 in Secs.16,17,20 & 21, T.47 N.,R.5 E.,M.D.M.
U.S.R.S.at G.N.Sta.1747+30.6 in Secs. 21 & 28, T.47 N.,R.5 E.,M.D.M.
U.S.R.S.at G.N.Sta.1826+80 in Sec. 33, T. 47 N., R. 5 E., M.D.M.
U.S.R.S.at G.N.Sta.1817+01.7 in Secs. 4 & 9, T.46 N.,R.5 E.,M.D.M.
U.S.R.S.at G.N.Sta.1891+00 in Sec. 16, T. 46 N., R. 5 E., M.D.M.
U.S.R.S.at G.N.Sta.1928+86.5 in Secs. 15 & 22, T.46 N.,R.5 E.,M.D.M.
U.S.R.S.at G.N.Sta.1997+37 in Sec. 27, T. 46 N., R. 5 E., M.D.M.
U.S.F.S.at G.N.Sta.2442+83.3 in Sec. 1, T. 44 N., R. 5 E., M.D.M.
U.S.F.S.at G.N.Sta.2501+83.3 in Sec. 12, T. 44 N., R. 5 E., M.D.M.
U.S.F.S.at G.N.Sta.2733+29 in Sec. 31, T. 44 N., R. 6 E., M.D.M.
U.S.F.S.at G.N.Sta.3118+68.8 in Sec. 5, T. 42 N., R. 6 E., M.D.M.
U.S.F.S.at G.N.Sta.3504+60 in Sec. 8, T. 41 N., R. 6 E., M.D.M.
U.S.F.S.at G.N.Sta.3957+15 in Sec. 11, T. 40 N., R. 6 E., M.D.M.
County Road at G.N.Sta.4085+50 in Sec. 26, T. 40 N., R. 6 E., M.D.M.
County Road at G.N.Sta.4188+60 in Sec. 36, T. 40 N., R. 6 E., M.D.M.
County Road at G.N.Sta.4328+78.5, in Sec.18, T.39 N., R. 7 E., M.D.M.

in the County of Modoc, State of California, and at grade across a county road at G.N.Sta. 4692+26 in Sec. 21, T. 38 N., R. 7 E., M.D.M., in the County of Lassen, State of California, at the locations more particularly described in the application and supplemental application and as shown by the maps (Exhibits Nos. 1 to 14, inclusive, and 16, attached to the application; and Exhibits Nos. 1 to 8, inclusive, attached to the supplemental application), subject to the following conditions:

- (1) 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.

- (2) 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 roadways and with grades of approach not exceeding five (5) per cent, and each crossing shall be protected by a Standard No. 1 crossing sign, as specified in our General Order No. 75.
- (3) 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.
- (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 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.

II. At separated grades above a County Road at G.N. Sta. 4545+22 in Sec. 5, T. 38 N., R. 7 E., M.D.M., County of Lassen, State of California, and at the location more particularly described in the application and as shown by the map (Exhibit 15) 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 use of the public shall be borne by applicant.
- (2) Applicant shall file, within ninety (90) days from the date hereof and prior to the commencement of construction, a set of plans for said crossing.
- (3) Said crossing shall be constructed with clearances conforming to the provisions of our General Order No. 26-C.
- (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.

The authority herein granted shall become effective on
the date hereof.

Dated at San Francisco, California, this 30 day
of August, 1931.

C. L. Seaver
Leon Whitman
W. J. Am
M. B. Harris
Fred G. Stewart

Commissioners.