

Decision No. 24120.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application
of The People of the State of Cali-
fornia, on Relation of the Depart-
ment of Public Works, for an order
authorizing the reconstruction of the
existing crossing at separated grades
of the State Highway and the tracks
of the Southern Pacific Railroad at
AUBURN, Placer County.

Application No. 17563.

ORIGINAL

BY THE COMMISSION:

ORDER

The People of the State of California, on relation of the Department of Public Works, Division of Highways, on August 7, 1931, applied for authority to reconstruct an existing crossing at separated grades of State Highway, referred to as Road III-Pla-17-B, with main line track of Southern Pacific Company in the City of Auburn, Placer County. Southern Pacific Company, on September 28, 1931, signified in writing that it has no objection to the reconstruction of said grade separation, provided the terms of construction and division of cost are in accordance with an agreement to be entered into between said Company and the applicant. It appearing that a public hearing is not necessary herein and that it is in the interest of public convenience and necessity that said undergrade crossing be reconstructed, the application

should be granted subject to certain conditions, therefore,

IT IS HEREBY ORDERED that the People of the State of California, on relation of the Department of Public Works, Division of Highways, are hereby authorized to reconstruct an existing grade separation of the State Highway, known as Road III-Pla-17-B, with the track of Southern Pacific Company in the City of Auburn, Placer County, substantially in accordance with the plan submitted with the application, subject to the following conditions:

- (1) The above crossing shall be identified as Crossing No. AI-123.6-B.
- (2) The expense of reconstructing and thereafter maintaining said crossing in good and first-class condition for safe and convenient use of the public shall be borne in accordance with an agreement approved by this Commission, a certified copy of which shall be filed within *one hundred* twenty (20) days after the date hereof. Should said agreement not be filed within the above time and further time be not granted by subsequent order, said cost shall be apportioned by supplemental order herein.
- (3) Said crossing shall be constructed with clearances conforming to the provisions of the Commission's 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.

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.

Dated at San Francisco, California, this 13th day of October, 1931.

C. J. Seaver
Leon C. Whelan
W. J. Linn
W. B. Linn
Fred G. Plehn
 Commissioners.