

**ORIGINAL**Decision No. 24291.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of Application of  
 Southern Pacific Company and Key  
 System, Ltd., for an order author-  
 izing construction, maintenance and  
 operation of a joint drill track  
 across two spur tracks owned by  
 the City of Oakland, in the Port  
 Area, in the City of Oakland,  
 County of Alameda, State of Cali-  
 fornia.

Application No. 17795.

BY THE COMMISSION:

ORDER

Southern Pacific Company, a corporation, and Key System, Ltd., on November 20, 1931, applied for authority to construct a drill track at grade across two spur tracks owned by the City of Oakland, in the Port Area in the City of Oakland, County of Alameda, State of California.

Applicants allege that the above mentioned spur tracks are being jointly operated by applicants pursuant to the provisions of Resolution No. 1928, adopted by the Board of Port Commissioners of the City of Oakland, a copy of which is filed in Application No. 17072; that it is desired to construct said crossings at grade to provide additional trackage to serve said Port of Oakland and its lessees and that, on account of the purpose for which said crossings are to be constructed, it will

not be practical or feasible to install overhead or undergrade crossings.

It appearing to the Commission that this is not a matter in which a public hearing is necessary and that the application should be granted, subject to certain conditions,

IT IS HEREBY ORDERED that Southern Pacific Company and Key System, Ltd., are hereby authorized to construct a joint drill track at grade across two spur tracks owned by the City of Oakland, in the Port Area in the vicinity of the intersection of West Twelfth Street and "B" Street, in the City of Oakland, County of Alameda, State of California, at the locations more particularly described in the application and as shown by the map (Western Division Drawing No. 0-1244, Sheet No. 1 Revised) attached thereto, subject to the following conditions:

- (1) The entire expense of constructing and maintaining said crossings shall be borne by applicants.
- (2) All trains, motors, engines or cars of applicants shall stop before proceeding across said crossings and shall not pass thereover until a member of the train crew or other competent employee has gone upon the crossings and has ascertained that it is safe so to do and shall have given a suitable signal to proceed.
- (3) Applicants shall, within thirty (30) days, notify this Commission, in writing, of the completion of the installation of said crossings and their 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.

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

Dated at San Francisco, California, this 7<sup>th</sup> day of December, 1931.

Cl. Severy  
Leon Wheeler  
W. J. Carr  
W. B. Harris  
Fred G. Stewart  
 Commissioners.