

Decision No. 23914

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the Matter of Application of Southern Pacific Company for an order authorizing the construction at grade of spur tracks across Fernside Boulevard, Versailles Avenue and Pearl Street, in the City of Alameda, County of Alameda, State of California.

ORIGINAL

Application No. 17547.

BY THE COMMISSION:

FIRST SUPPLEMENTAL ORDER

Southern Pacific Company, having on December 4, 1931, filed its First Supplemental Application asking that Decision No. 23914, dated July 24, 1931. in so far as it involves the crossing at grade of a spur track at the intersection of Versailles Avenue and Fernside Boulevard (a portion of Crossing No. MA-11.06), and the crossing at grade of a spur track across Versailles Avenue (Crossing No. E-9.52-C), in the City of Alameda, be modified.

Applicant alleges that the Illinois Glass Company, for whom the spur tracks were to be constructed, have made changes in their building plans which involve the changing of the location of said crossings.

It appears that a public hearing is not necessary in this matter and that the First Supplemental Application should be granted.

IT IS HEREBY ORDERED that Decision No. 23914, dated

July 24, 1931, in so far as it applies to the crossing at grade of a spur track at the intersection of Versailles Avenue and Fernside Boulevard (a portion of Crossing No. MA-11.06) and the crossing at grade of a spur track across Versailles Avenue (Crossing No. H-9.52-C), all within the City of Alameda, is hereby revoked.

IT IS HEREBY FURTHER ORDERED that Southern Pacific Company is hereby authorized to construct a spur track at grade across the intersection of Versailles Avenue and Fernside Boulevard and a spur track at grade across Versailles Avenue, in the City of Alameda, County of Alameda, State of California, at the locations more particularly described in the First Supplemental Application and as shown by the map (Western Division Drawing No. A-270, Sheet 1, revised), attached thereto, subject to the following conditions:

- (1) The above crossings shall be identified as follows:

Versailles Avenue and Fernside Boulevard, a portion of Crossing MA-11.06; Versailles Avenue, Crossing No. H-9.52-C.

- (2) 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.
- (3) 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 streets now graded, with the tops of rails flush with the pavement and with grades of approach not exceeding two (2) per cent, and shall be protected by Standard No. 1 crossing signs as specified in our General Order No. 75.
- (4) No train, engine, motor or car shall be operated over said crossing of Versailles Avenue (Crossing No. H-9.52-C) unless the traffic on the highway is protected by a member of the train crew or other competent employee.
- (5) Applicant shall, within thirty (30) days thereafter, notify this Commission, in writing, of

(5) cont'd.

the completion of the installation of said crossings and of its compliance with the conditions hereof.

- (6) 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.
- (7) 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 28th day of December, 1931.

W. L. ...
Leon ...

W. B. ...

W. B. ...

Fred G. ...

Commissioners.