

Decision No. 201

In the matter of the application of Northern Electric Railway Company, a corporation, for permission to construct its spur track at grade across a spur track of the Southern Pacific Company, a corporation, in the city of Chico, Butte county, California.  
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Application No. 201.

ORDER

By the Commission.

Northern Electric Railway Company, a corporation, having heretofore on August 24, 1912, filed with the Commission its application for permission to construct a spur track at grade across a spur track of the Southern Pacific Company in Chico, Butte county, California, as hereinafter indicated, and it appearing to the Commission that this is not a case in which a public hearing is necessary, that Northern Electric Railway Company has secured the necessary permit or franchise from the city of Chico to construct said spur track and that said company has entered into a contract with the Southern Pacific Company for the construction of said track; and it further appearing that it is not reasonable nor practicable to avoid a grade crossing at the proposed point of crossing and that the application should be granted subject to the conditions hereinafter specified,

IT IS HEREBY ORDERED that permission be hereby granted to Northern Electric Railway Company to construct a spur track at grade across the spur track of the Southern Pacific Company on Main street, city of Chico, Butte county, California, as shown by the map attached to the application, at the intersection of said Main street with Big Chico Creek; subject to the following conditions, viz.:

- (1) The crossing frogs shall be furnished by Northern Electric Railway Company and shall hereafter be maintained in good and first-class condition for the safe operation thereover of trains and cars at the expense of this company.

(2) The contract of date August 1, 1912, entered into between Northern Electric Railway Company and Southern Pacific Company relating to the construction, maintenance, operation and protection hereafter of said crossing is approved by the Commission, subject, however, to such revision or modification with respect to said construction, maintenance, operation and protection thereof, as to this Commission may seem right and proper, and this Commission reserves the right to modify the terms of said contract or revoke its permission authorizing the crossing if, in its judgment, the public convenience and necessity demand such action.

Dated at San Francisco, California, this 27<sup>th</sup> day of August, 1912.

H. D. Loveland

W. S. Gordon

Max Thelen

Commissioners.