

Decision No. 2021.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

Decision No. 20216

ORIGINAL

In the matter of the application of the  
PEOPLE OF THE STATE OF CALIFORNIA ON  
RELATION OF THE DEPARTMENT OF ENGINEER-  
ING for permission to construct a State  
Highway Crossing under the track of  
Southern Pacific Company and Central  
Pacific Railway Company, near Andora,  
about one mile northerly from the city  
limits of Roseville, Placer County, Cali-  
fornia.  
.....)

) Application No. 1061.

George D. Squires, for Southern Pacific Company,  
C. C. Carleton, for State Highway Commission.

GORDON, Commissioner.

O P I N I O N

This is an application made by the State Highway Com-  
mission for permission to construct an undergrade crossing at a  
point about a mile north of Roseville, to replace a crossing at  
present in existence about four hundred (400) feet south of the  
proposed crossing. There was no question raised at the hearing  
regarding the advisability of this undergrade crossing and there  
is no question in my mind but that advantage should be taken of  
the physical characteristics of the country and the grades sep-  
arated at this point. Some attempt had been previously made to  
adjust this matter informally, but there existed a pronounced dif-  
ference of opinion between the Railroad Company and the Highway  
Commission regarding the character of the proposed under-crossing  
and the division of expense of the same between the two parties  
concerned.

The original plan made for this crossing by the Highway  
Commission was for a right-angle subway, but after a study of dif-  
ferent types of construction, a forty-five (45) degree skew subway

was adopted as being better suited for a highway of the character of this one, and the application was made for a crossing at that angle.

There are two features to be considered: First, the angle at which this crossing is to be made; second, the matter of the division of expense between the parties interested.

Regarding the first: this state highway will be the main road running from Sacramento to the north. It will be very much traveled and the crossing should be built of a type which will serve the best interests of all concerned. Once built, it will remain for very many years, and there is no question in my mind but what the skew crossing in comparison with a crossing at right angles with the track is much more desirable and much the better type of construction as far as the highway is concerned. It is true that as far as the Southern Pacific Company, alone, is concerned, a right-angle crossing would answer for the requirements of the railway. But the difference in cost as between a cheaper right-angle crossing and one which will be satisfactory to both the railroad company and the State is comparatively small, and it is my opinion that the skew crossing is by far the better investment.

Estimates made by the Highway Commission, covering these crossings, show about \$12,500.00 to be the cost of a right-angle crossing and about \$15,700.00 to be the cost of the crossing skewed at an angle of 45 degrees with the track. These figures are the estimates submitted for a double track substructure and single track bridge plus the cost of additional steel for a second track. The estimate of the Southern Pacific Company for the right-angle crossing is \$10,110.00 and for the skew crossing, \$16,670.00. There is no considerable difference between the two estimates. They seem to be based upon about the same sort of construction and

for the purpose of this opinion I will consider the right-angle crossing as costing \$11,500.00 and the skew crossing as costing \$15,000.00.

These figures show there is but \$4,500.00 difference between the cost of the skew crossing and the right angle crossing.

I find, therefore, that the type of construction to be adopted should be that of the skew crossing.

It was testified by Southern Pacific Company witnesses, and admitted as reasonable by the Highway Commission, that a second track would in a short time be built at this point and that the subway should be built to care for this future construction, and the cost should be considered in this connection. The approximate estimates, as noted above, are based upon a double track structure, and I think it proper to consider the cost of the second track bridge as being part of the cost of the subway.

There now remains to be considered the division of expense between the two parties at interest. When the plans contemplated a right-angle crossing the Southern Pacific Company expressed its willingness to bear one-half (1/2) of the total cost. It feels, however, that since in its opinion the right-angle crossing will serve the purpose of grade separation as well as the skew crossing, it should not be called upon to bear more than one-half (1/2) of the estimated cost of such right-angle crossing.

No hard and fast rule can be made in cases of this kind. In this instance the construction of a subway will do away with the grade crossing at present in use, to the south of this proposed crossing, and the abolition of this grade crossing considered alone would probably be worth to the Southern Pacific Company half the entire cost of this proposed skew subway. It is my opinion, however, that it would not be fair to assess to the rail-

way company an even one-half (1/2) of such additional expense as will be incurred principally for the benefit of the State highway. And this additional expense is represented by the difference in cost between the right-angle and the skew crossing.

I find that it would be equitable for the Southern Pacific Company to pay, in this case, one-half (1/2) the estimated cost of the right-angle crossing and one-quarter (1/4) of the difference between the estimated cost of the right-angle crossing and the actual cost of the skew crossing. The Highway Commission, of course, will be required to pay the difference, and this I will recommend.

I recommend the following form of order:

#### O R D E R

People of the State of California on Relation of the Department of Engineering, hereinafter called the State Highway Commission, having on April 1, 1914 made application to the Commission for permission to construct its highway under the track of the Southern Pacific Company, a corporation, and Central Pacific Railway Company, a corporation, near Andora, about one (1) mile northerly from the city limits of Roseville, Placer County, California, shown more particularly on the map and profile accompanying the application; and a public hearing having been held, at which all interested parties were represented; and it appearing that this application should be granted under certain conditions hereinafter specified;

IT IS HEREBY ORDERED, That the State Highway Commission be, and the same is hereby, authorized to construct a state highway under the track of the Southern Pacific Company, at or near the point shown on the map attached to the application, subject to the following conditions, and not otherwise:

(1) This crossing shall be a subway or undergrade crossing constructed at the point shown on the map attached to the application, subject, however, to a slight variation either north or south along the track, as later surveys and estimates shall determine the most economical location.

(2) Said crossing shall be constructed at an angle of forty-five (45) degrees with the track of the Southern Pacific Company, but bridge seats for girders of the bridge shall be constructed to form an angle of ninety (90) degrees with the track of Southern Pacific Company.

(3) Said crossing shall be constructed so that all clearances shall conform to the Commission's General Order No. 26.

(4) Said crossing shall provide for two (2) tracks for the Southern Pacific Company, and the expense of providing for the second track shall be considered as part of the cost of the subway.

(5) The cost of the subway or undergrade crossing shall be borne as follows: Southern Pacific Company and the State Highway Commission shall each pay Five Thousand Seven Hundred and Fifty Dollars, (\$5,750.00), or one-half (1/2) of an estimated cost of a right-angled crossing of Eleven Thousand Five Hundred Dollars, (\$11,500.00), and all cost in excess of this estimated cost of \$11,500.00 shall be borne one-quarter (1/4) by the Southern Pacific Company and three-quarters (3/4) by the State Highway Commission.

(6) The present grade crossing about four hundred (400) feet south of the proposed crossing shall be legally closed and abandoned as a public highway crossing.

(7) The Commission reserves the right to make such further orders relative to the location, construction, operation, maintenance and protection of said crossing as to it may seem right and

proper, and to revoke its permission if, in its judgment, the public convenience and necessity demand such action.

The foregoing opinion and order are hereby approved and ordered filed as the opinion and order of the Railroad Commission of the State of California.

Dated at San Francisco, California, this 24<sup>th</sup> day of December, 1914.

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*A. S. Ireland*

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*Alex G. ...*

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*Max Thelen*

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Commissioners.