

ORIGINAL

Decision No. \_\_\_\_\_.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

Decision No. 4811

In the matter of the application of  
SAN DIEGO AND SOUTH EASTERN RAILWAY  
COMPANY for permission to construct  
and operate its railway tracks at grade  
across Fifth Street and other streets  
and railway tracks, and upon National  
Avenue, in San Diego, California.  
.....

Application No. 2719.

By the Commission.

O R D E R.

SAN DIEGO AND SOUTH EASTERN RAILWAY COMPANY, a corporation, having, on January 26, 1917, filed with the Commission its application in the above entitled matter; and San Diego and Arizona Railway Company having on March 17, 1917, intervened and asked the Commission to make its order granting the right to construct these tracks to the San Diego and Arizona Railway Company rather than to the San Diego and South Eastern Railway Company, and to approve a verbal operating agreement between the San Diego and South Eastern Railway Company and the San Diego and Arizona Railway Company; and the necessary franchise having been granted for the construction of the grade crossings with the streets in San Diego; and San Diego and Arizona Railway Company having entered into agreements with the Pacific Coast Steamship Company and The Atchison, Topeka and Santa Fe Railway Company, whose spur tracks are to be crossed; and it appearing that it is not reasonable nor practicable to avoid grade crossings with said streets in San Diego and with said spur tracks, and that this application should be granted subject to certain conditions to be hereinafter specified;

IT IS HEREBY ORDERED, That San Diego and Arizona Railway Company be and the same hereby is granted permission to construct its track at grade across Fifth Street, Fourth Street, Third Street, Second Street, First Street and I Street, in the City of San Diego, as shown by the map attached to the application, and across spur tracks of the Pacific Coast Steamship Company and The Atchison, Topeka and Santa Fe Railway Company, as shown by the map and more particularly described in the agreements between these two companies and applicant, copies of which have been filed with the Commission, subject to the following conditions, viz.:

(1) The entire expense of constructing the crossings with the streets hereinbefore mentioned, together with the cost of their maintenance thereafter in good and first-class condition for the safe and convenient use of the public, shall be borne by applicant.

(2) Said crossings shall be constructed of a width and type of construction to conform to those portions of the streets to be crossed now graded, with grades of approach not exceeding four (4) per cent; shall be protected by suitable crossing signs, and shall in every way be made safe for the passage thereover of vehicles and other road traffic.

(3) The crossings of the spur tracks hereinbefore mentioned shall be made in accordance with the agreements previously referred to.

(4) After the installation of crossing frogs with said spur tracks all engines, trains, motors and cars of applicant, Pacific Coast Steamship Company and The Atchison, Topeka and Santa Fe Railway Company shall come to a full stop

before crossing over same and shall not proceed until it has been ascertained that it is safe to do so.

IT IS HEREBY FURTHER ORDERED, That the Commission will issue a supplemental order covering the operation of this line when a written contract between the San Diego and Arizona Railway Company and San Diego and South Eastern Railway Company shall have been filed with the Commission.

IT IS HEREBY FURTHER ORDERED, That 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, the public convenience and necessity demand such action.

Dated at San Francisco, California, this 2nd day of November, 1917.

Max Thelen  
H. B. Howard  
W. G. Gordon  
Edwin O. Edgerly

Commissioners.