

ORIGINAL

Decision No. 5005

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

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the matter of the application of )  
the COUNTY OF ALAMEDA for an order )  
directing a separation of grades at )  
the crossing of County Road No. 1530. ) Application No. 3220.  
leading from Pleasanton to Livermore, )  
Alameda County, California, with the )  
tracks of the Central Pacific Railway )  
near Pleasanton, Alameda County. )  
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W. H. L. Hynes, District Attorney  
Alameda County.  
T. P. Wittschen for Applicant.  
George D. Squires for Southern  
Pacific Company.

GORDON, Commissioner.

#### OPINION

This application was filed on September 22, and on October 18 a hearing was held in Oakland, when it appeared that, although the County requests an order looking to the separation of grades, its principal desire at that time was to have the safety of the crossing improved, as there had been several accidents upon it in recent years. Both the Railroad Company and the County felt that with the present war conditions the expenditure necessary for a grade separation should not be made, and expressed a belief that between them they could work out some method of temporary protection.

The hearing was adjourned for sixty days and at a subsequent hearing both parties decided that the best temporary protection would be an automatic flagman in the center of the highway, and that the grades of approach should be improved so they would not be steeper than six per cent and would have a level stretch of thirty feet on both sides of the

track. The Railroad Company agreed to install the automatic flagman and to pay for its maintenance, and the County agreed to make and pay for the changes necessary to improve the approaches.

Although a grade separation should be made at this crossing at the earliest possible time when conditions are normal, this disposition appears to me to be a fair one under present conditions, and I shall recommend that it be approved in the following order.

O R D E R.

ALAMEDA COUNTY having applied to the Commission for an order directing a separation of grades to be made at the crossing of Road No. 1530 with the tracks of the Central Pacific Railway (Southern Pacific Company) near Pleasanton, as shown on the map attached to the application; and a public hearing having been held, and it appearing that a grade separation should not be made at this time but that the crossing should be improved in the manner described in the foregoing opinion;

IT IS HEREBY ORDERED, That Southern Pacific Company be and the same hereby is ordered to install an automatic flagman for the protection of this crossing immediately after the grading shall have been completed, the expense of which shall be borne by it.

IT IS HEREBY FURTHER ORDERED, That Alameda County shall, at its own expense, reconstruct the approaches to this crossing so that they shall be level for thirty (30) feet on either side of the track and the grades shall nowhere exceed six (6) per cent.

IT IS HEREBY FURTHER ORDERED, That the Commission reserves the right to make such further orders relative to the improvement and protection of this 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 2d day of January, 1918.

Max Thelen  
W. B. K. K. K.  
W. B. K. K. K.  
Edwin O. Edwards  
Frank R. K. K.

Commissioners.