

Decision No. 5167

ORIGINAL

Decision No. _____

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the matter of the application of)
THE ATCHISON, TOPEKA AND SANTA FE)
RAILWAY COMPANY for permission to)
construct a spur track at grade)
across the tracks of the San Francisco-)
Oakland Terminal Railways at the)
intersection of Park Avenue and Haven)
Street, in Emeryville, Alameda)
County, California.)
.....)

Application No. 3550.

By the Commission,

ORDER

THE ATCHISON, TOPEKA AND SANTA FE RAILWAY COMPANY, a corporation, having on February 21, 1918, filed with the Commission an application for permission to construct a spur track at grade across the tracks of the San Francisco-Oakland Terminal Railways at the intersection of Park Avenue and Haven Street, in Emeryville, Alameda 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 the necessary franchise or permit has been granted by Emeryville and that applicant and San Francisco-Oakland Terminal Railways have agreed upon the terms of installation, operation and protection of the said crossing at grade, and it further appearing that it is not reasonable nor practicable to avoid a grade crossing with said tracks, and that this application should be granted subject to the conditions hereinafter specified,

IT IS HEREBY ORDERED, That permission be hereby granted The Atchison, Topeka and Santa Fe Railway Company to construct a spur track at grade across the tracks of the San Francisco-Oakland Terminal Railways at the intersection of Park Avenue and Haven

Street, in Emeryville, Alameda County, California, as shown by the map attached to the application; said crossing to be constructed subject to the following conditions, viz.:-

(1) The crossing shall be constructed, maintained and operated in accordance with the agreement between the Companies heretofore referred to.

(2) All engines, trains, motors and cars of applicant and San Francisco-Oakland Terminal Railways shall, before proceeding over the crossing come to a full stop and ascertain that it is safe to do so by sending an employee in front of each engine, train, motor and car for that purpose.

(3) 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.

Dated at San Francisco, California, this 2d day of March, 1918.

Max Thelen
H. B. Donald
M. G. Don't
Edwin J. Edgerton
Frank R. Perkins

Commissioners.