

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

ORIGINAL

In the matter of the application of CENTRAL PACIFIC RAILWAY COMPANY, for permission to construct the tracks of its Melrose-San Leandro Extension at grade across the tracks of San Francisco-Oakland Terminal Railways at Ninetieth or Grand Avenue, City of Oakland, Alameda County, Calif.  
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Application No. 457.

ORDER

By the Commission.

CENTRAL PACIFIC RAILWAY COMPANY, a corporation, having on March 19, 1913, filed with the Commission an application for permission to construct the double main line tracks of its Melrose-San Leandro Extension at grade across the double main line tracks of San Francisco-Oakland Terminal Railways on Ninetieth or Grand Avenue, City of Oakland, 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 in order of the Commission of March 20, 1913, Application No. 139, applicant has been granted permission to construct its tracks at grade across Ninetieth or Grand Avenue in accordance with the terms of a franchise granted by said City of Oakland; and it further appearing that applicant has executed an agreement with San Francisco-Oakland Terminal Railways dated October 15, 1912, approving and providing for the construction and maintenance and protection hereafter of said crossings, and it further appearing that it is not reasonable nor practicable to avoid grade crossings with the tracks of San Francisco-Oakland Terminal Railways and that the application should be granted subject to the conditions hereinafter specified,

IT IS HEREBY ORDERED that permission be hereby granted Central Pacific Railway Company to construct the double main line tracks of its Melrose-San Leandro Extension at grade across the double main line tracks of San Francisco-Oakland Terminal Railways on Ninetieth

or Grand Avenue, City of Oakland, Alameda County, California, as shown by the maps and profiles attached to the application, subject to the following conditions, viz.:

(1) The entire expense of constructing the crossings including the crossing frogs, timbers and their necessary appurtenances, together with the cost of their maintenance hereafter in good and first-class condition for the safe operation thereover of trains, motors and cars of either applicant or San Francisco-Oakland Terminal Railways, shall be borne by applicant.

(2) The construction and maintenance hereafter of all overhead trolleys and other wire lines or power circuits shall conform to the specifications provided in General Order No. 26 issued by this Commission, or such amendments thereto as may be hereafter issued. X

(3) Until a first-class standard interlocking device shall have been installed for the protection of said crossings of such plan and design as shall be approved by this Commission and whose construction has been approved and the operation thereof authorized under a special order of this Commission, all trains, motors and cars of San Francisco-Oakland Terminal Railways before passing over said crossings, shall come to a full stop within fifty (50) feet thereof and shall not proceed over said crossings until one (1) of the crew of said trains, motors or cars or other employee of San Francisco-Oakland Terminal Railways, which, however, may include a flagman stationed by either company at said crossings for the protection and flagging of all trains, motors or cars, shall have gone upon the crossings and ascertained that it is safe for said trains, motors or cars to proceed thereover. All trains, motors or cars of applicant shall operate over said crossings under full control and at a speed not exceeding ten (10) miles per hour. Applicant shall issue for the information of its employees the necessary instructions by bulletin directing that all trains, motors and cars of applicant shall be operated over said crossings as above provided.

(4) The Commission reserves the right to make such further orders hereafter relative to the construction, maintenance, operation and protection of said crossings, including the right to require the installation of a first-class standard interlocking device for the protection thereof, of such plan and design as it may approve, to be maintained and operated in accordance with such rules and regulations as it may issue governing in such matters, as to it may seem right and proper and to revoke this permission or such part thereof when, in its judgment, the public convenience and necessity demand such action.

Dated at San Francisco, California, this 24<sup>th</sup> day of March, 1913.

John W. Ketchum

H. B. Loveland

Max Thelen

Edwin O. Edgerton

Commissioners.