

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

ORIGINAL

Decision No. 5786

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the application of THE ATCHISON, TOPEKA AND SANTA FE RAILWAY COMPANY, a corporation, for permission to operate a spur track known as the Bastanchury Spur across the main line and tracks of the Pacific Electric Railway Company in the City of Fullerton, County of Orange, State of California.

Application No. 3542.

Robert Brennan for The Atchison, Topeka and Santa Fe Railway Company.

R. C. Gortner for Pacific Electric Railway Company.

GOZDON, Commissioner.

O P I N I O N

In this application The Atchison, Topeka and Santa Fe Railway Company asks permission to construct a spur track across the main line of the Pacific Electric Railway Company at the Bastanchury Ranch in the City of Fullerton. Although the Pacific Electric Company signified by letter that it was willing to have its tracks crossed, the matter was set for a hearing as the protection proposed did not appear to be adequate.

The track of the Santa Fe will be used probably once or twice a day and the views at the track intersection are comparatively unobstructed at present, but train service on the Pacific Electric is frequent, in a short time orange groves will restrict the view, and the semaphore signal, proposed by applicant for the protection of the crossing, will not, in my judgment, make the crossing safe.

I believe that the crossing of any main line with frequent

passenger service by a spur track is important enough to justify more extensive and efficient protection. In this instance the best protection which can be secured for a reasonable expenditure seems to be hand-operated derails on the spur track of the Santa Fe to be thrown by the train crew of the Santa Fe before passing over the crossing. Still further to insure the safety, the trains of the Pacific Electric should approach the crossing from both directions at a speed of not more than ten (10) miles per hour. This protection will be recommended in the following form of order:

O R D E R

THE ATCHISON, TOPEKA AND SANTA FE RAILWAY COMPANY, a corporation, having filed this application with the Commission; a public hearing having been held; and it appearing to the Commission that this application should be granted subject to certain conditions;

IT IS HEREBY ORDERED, That permission be and the same hereby is granted THE ATCHISON, TOPEKA AND SANTA FE RAILWAY COMPANY to construct its spur track at grade across the tracks of the Pacific Electric Railway Company, at the Bastanchury Ranch in Fullerton, at the point and in the manner shown in the map attached to the application; said crossing to be constructed subject to the following conditions and not otherwise:

(1) The entire expense of constructing the crossing together with its maintenance thereafter shall be borne by the applicant, subject to such agreements as have been made or may be made between applicant and the Pacific Electric Railway Company.

(2) For the protection of the crossing there shall be installed hand-operated derails on the tracks of the Santa Fe on both sides of the crossing, so arranged that they can be thrown from a point adjacent to the crossing where a good view of the

tracks of the Pacific Electric can be obtained; those derails to be kept normally open and to be thrown by train men of applicant.

(3) Plans for this protective device shall be approved by the Commission before its installation.

(4) All engines, trains, motors and cars of the Pacific Electric Railway Company shall approach and pass over this crossing at a speed not greater than ten (10) miles per hour.

(5) The Commission reserves the right to make such further orders relative to the location, construction, operation, maintenance 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 19th day of June, 1918.

Edwin O. Edgerton  
H. H. Loveland  
W. E. Gordon  
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Commissioners.