

Decision No. 6708.

ORIGINAL

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the application of)
MINKLER SOUTHERN RAILWAY COMPANY,)
for a permit to extend across cer-)
tain county roads in the County of)
Tulare, State of California, an ex-)
tension of its line of railroad,)
south of Porterville, said county,)
all as shown upon the map and profile)
filed herewith.)

Application No. 4947.

By the Commission.

ORDER

MINKLER SOUTHERN RAILWAY COMPANY having on September 10, 1919, filed an application with the Commission for permission to construct an extension of its line of railroad across certain county roads south of Porterville, in the County of Tulare, State of California, as shown by the map attached to the application; and it appearing to the Commission that this is not a case in which a public hearing is necessary; that the proposed crossings do not lie within the limits of an incorporated city or town and no franchise is necessary for their construction at grade; and it further appearing that it is not reasonable nor practicable to avoid grade crossings with said roads, and that this application should be granted subject to the conditions hereinafter specified, with the exception of that portion relating to Crossing No. 43, which is a private road and therefore not under the jurisdiction of this Commission;

IT IS HEREBY ORDERED, That permission be and the same is hereby granted MINKLER SOUTHERN RAILWAY COMPANY to construct an extension of its line of railroad across certain county roads south of Porterville, in the County of Tulare, State of California, as shown by the map attached to the application, with the exception of Crossing No. 43, as hereinbefore specified; said crossings to be constructed subject to the following conditions, viz.:

(1) The entire expense of constructing the crossings, 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 widths and types of construction to conform to those portions of the roads to be crossed now graded, with suitable grades of approach from two (2) to six (6) per cent, as shown by the profile attached to the application; 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) An automatic flagman shall be placed at Crossing No. 40C, the cost of installation and maintenance to be borne by applicant.

(4) 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 22 day of October, 1919.

Edwin P. Edgerton
H. J. Loveland
Frank R. Brown