

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the application of
SACRAMENTO AND WOODLAND RAILROAD COMPANY,
a corporation, for permission to construct
its track at grade over the tracks operated
by the Southern Pacific Company, at Milton,
Yolo County, State of California.

Application No. 37.

By the Commission.

OPINION ON APPLICATION TO MODIFY ORDER

The two companies involved in the proceedings herein have, by stipulation, jointly requested this Commission so to modify the order heretofore entered herein as to relieve the Southern Pacific Company from the necessity of stopping its trains before crossing the line of the Sacramento and Woodland Railroad Company at the point hereinbefore determined for the crossing of these two lines.

The order desired is that, pending the installation of an interlocking plant, a watchman may be stationed at the crossing night and day to signal trains that the crossing is clear; and that upon the stationing and maintenance of such watchman the Southern Pacific Company trains may run over the crossing without stopping, but that the Sacramento and Woodland Railroad Company's trains shall come to a full stop within two hundred (200) feet of the crossing.

The Application shows that the Southern Pacific Company is stopping about seventy-five (75) trains each twenty-four (24) hours at the crossing, and that the Sacramento and Woodland Railroad Company is stopping about thirty (30) trains each twenty-four (24) hours at the crossing.

On May 7, 1912, the Sacramento and Woodland Railroad Company

petition this Commission for an order permitting the crossing at grade of its tracks with the tracks operated by the Southern Pacific Company at Mikon, Yolo County, California. Public hearings were held on said application before this Commission in the City of Sacramento, California, on the 17th day of May, 1912, and in San Francisco, California, on the 27th day of May, 1912, and on the 30th day of May, 1912, this Commission granted permission to Sacramento and Woodland Railroad Company to construct its railroad at grade across the railroad operated by the Southern Pacific Company, at Mikon, Yolo County, California, subject to certain conditions which were stated in the order. One of these conditions was that,

"The Sacramento and Woodland Railroad Company shall install at its own expense for the protection of said crossing a first-class standard electric interlocking device of such plan and design as shall be approved by this Commission."

and certain general specifications were prescribed for the construction of said interlocking device.

The order further provided that the Sacramento and Woodland Railroad Company should complete the interlocking device ready for inspection and approval by this Commission within sixty (60) days after the installation of the crossing frogs.

On July 4, 1912, the Sacramento and Woodland Railroad Company began the operation of trains over this crossing, tariffs having been previously filed with this Commission, so that it is certain that the crossing frogs were installed prior to July 4, 1912.

On June 29, 1912, the two companies involved in the proceedings, by stipulation made joint application to this Commission so to modify its order of May 30, 1912, as to relieve Southern Pacific Company from the necessity of stopping its trains before crossing the line of the Sacramento and Woodland Railroad Company.

On July 13, 1912, this Commission denied this application and held that,

"Regardless of the agreement between the parties, the Commission feels that the safety of the public is of more importance than the convenience of operation of these two (2) lines."

On November 12, 1912, in pursuance of requirements of Section 2, subdivision (h), of order issued by this Commission on May 30, 1912, the Southern Pacific Company and Sacramento and Woodland Railroad Company filed with this Commission their joint application for approval of and submitted plans and specifications for an interlocking device to be constructed at the grade crossing of the railroads of said companies at Mikon, Yolo County, California, and on the 18th day of November, 1912, this Commission approved the plans and specifications for said interlocking device as submitted by said companies and authorized the construction of said interlocking device in accordance with same.

The crossing frogs were installed prior to July 4, 1912, and the interlocking device at said crossing, to conform with this Commission's order, should have been completed and ready for inspection not later than September 4, 1912. More than one year has elapsed since permission was granted by this Commission for this crossing and the installation of the interlocking device. This Commission feels that ample time has been allowed for the completion of an interlocking device at this crossing and that an application at this time to modify the order of May 30, 1912, in which all trains of both companies were required to stop within two hundred (200) feet of the crossing, pending the installation of the interlocking device, is inconsistent. The operating conditions have not changed at this crossing since June 29, 1912, when these two companies made application for a similar modification of the order and this Commission feels now as it did when

it denied this application on the 13th day of July, 1912,

"that the safety of the public is of more importance than the convenience of operation of these two (2) lines, and the application is denied."

O R D E R

IT IS HEREBY ORDERED that the petition of Sacramento and Woodland Railroad Company and Southern Pacific Company for an order modifying this Commission's orders in the above entitled proceeding so as to permit the trains of the Southern Pacific Company to run over the crossing over the tracks of the Sacramento and Woodland Railroad Company at Milon without stopping, be, and the same is hereby denied.

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 11th day of July, 1913.

John M. Keck
Edwin O. Edgerton
Max Theiler

Commissioners.