

Decision No. 28224.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the Matter of the Application of
BUCKSPORT AND ELK RIVER RAILWAY COM-
PANY, to construct, maintain and
operate, at grade, railroad crossings
in the County of Humboldt, State of
California.

Application No. 19031.

ORIGINAL

BY THE COMMISSION:

O R D E R

Bucksport and Elk River Railroad Company, a corporation, on July 31, 1933, filed with this Commission application for authority to construct its main line and one siding at grade across a spur track of Northwestern Pacific Railroad Company in the vicinity of Holmes-Eureka Lumber Company's mill, Bucksport, County of Humboldt, State of California. Northwestern Pacific Railroad Company has signified, in writing, that it has no objection to the construction of said crossing at grade. It appearing that a public hearing is not necessary herein; that it is neither reasonable nor practicable at this time to provide a grade separation or to avoid a grade crossing at the point mentioned; and that the application should be granted, subject to certain conditions,

IT IS HEREBY ORDERED that Bucksport and Elk River Railroad Company is hereby authorized to construct its main line track and a siding at grade across a spur track of Northwestern Pacific Railroad Company, serving Holmes-Eureka Lumber Company at Bucksport, County of Humboldt, State of California, at the location more particularly described in the application and as shown by the map

(Exhibit "A"), attached to Application No. 17482, subject to the following conditions:

- (1) The entire expense of constructing and thereafter maintaining the crossing in good and first-class condition for safe and convenient railroad use shall be borne substantially as shown by the copy of agreement entered into between applicant and Northwestern Pacific Railroad Company, filed with this Commission, in Application No. 17482.
- (2) All trains, motors, engines and cars of applicant and of Northwestern Pacific Railroad Company shall, in the use and occupancy of said crossing, proceed only in accordance with the operating requirements as set forth in Paragraphs six (6) and seven (7) of the agreement entered into by said carriers and filed with the Commission in Application No. 17482.
- (3) Applicant shall have erected permanent stop signs not less than one hundred and fifty (150) feet from said crossing on each line of railroad.
- (4) Applicant shall, within thirty (30) days thereafter, notify this Commission, in writing, of the completion of the installation of said crossing and of its compliance with the conditions hereof.
- (5) The authorization herein granted shall lapse and become void if not exercised within one (1) year from the date hereof, unless further time is granted by subsequent order.
- (6) 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, public convenience and necessity demand such action.

The authority herein granted shall become effective on the date hereof.

Dated at San Francisco, California, this 7th day of August, 1933.

C. C. Seaver
W. A. G. ...
W. B. Harrison
Commissioners.