

Decision No. 27021

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the Matter of the Application of the City of Palo Alto for an Order on the Railroad Commission of the State of California installing gates at the crossing of Embarcadero Road with the tracks of the Southern Pacific Company in said city.

Application No. 17071.

BY THE COMMISSION:

ORIGINAL

ORDER OF DISMISSAL

In the above entitled proceeding the City of Palo Alto seeks an order directing the installation and maintenance of manually controlled crossing gates for the protection of grade crossing of Embarcadero Road with the tracks of Southern Pacific Company in said city.

The Commission, by its order in Decision No. 24693, dated April 18, 1932, directed that this grade crossing be protected by one of two plans.

Plan "A" provides that manually operated gates be installed for the protection of this crossing, the entire installation cost to be borne by Southern Pacific Company and the maintenance to be apportioned between the city and the railroad, the city's portion to be \$200 per month. The City of Palo Alto was allowed ninety (90) days in which to advise the Commission if it would accept this plan of protection.

Plan "B" provides that in the event the city does not elect to comply with the conditions of Plan "A" in so far as the city is concerned, the railroad will be authorized and directed to

install automatic signals for the protection of this crossing to replace the existing protection consisting of human flagman service for 16 hours per day and one wigwag.

The City of Palo Alto did not elect to comply with its portion of the requirements of Plan "A" and the railroad was so advised.

Under date of April 4, 1934, Southern Pacific Company requested that the Commission's Order in its Decision No. 24693 be rescinded and the proceeding dismissed on the grounds that it would require an investment of \$4,800 to install the type of automatic signals specified in Plan "B" of said decision and that it would prefer to carry on with the present form of protection notwithstanding the fact that the human flagman form of protection is more expensive to maintain than would be the case if the new automatic signals were installed.

The City of Palo Alto, under date of April 24, 1934, advised that under the conditions it would not oppose the granting of Southern Pacific Company's request in this matter, which will have the effect of continuing on with the present form of protection.

Good Cause Appearing,

IT IS HEREBY ORDERED that Decision No. 24693, dated April 18, 1932, be and it is hereby revoked and annulled and Application No. 17071 is dismissed.

Dated at San Francisco, California, this 7th day of May, 1934.

CL Lerney
Leon Swadlow
W. J. Linn
M. B. Harris
W. H. Linn
Commissioners.