

ORIGINAL

Decision No. 27177.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the Matter of the Application of  
THE WESTERN PACIFIC RAILROAD COMPANY  
for exemption from the provisions of  
paragraph (c), Section VI, of General  
Order No. 75-A, in the installation  
of automatic signals at grade cross-  
ing No. 4-13.3, in the City of Oakland,  
County of Alameda, State of California.

Application No. 19487.

BY THE COMMISSION:

ORDER

The Western Pacific Railroad Company, a corporation, on June 13, 1934, applied for authority for exemption from the provisions of paragraph (c) Section VI of the Commission's General Order No. 75-A in the installation of automatic signals at the crossing of its Main Line track over Jones Avenue (Crossing No. 4-13.3) in the City of Oakland, County of Alameda, California.

Applicant alleges that said crossing is not now provided with any automatic signal devices, that there is now under construction a building at the northwest corner of the intersection which will interfere with a clear view of approaching trains from the west, that an automatic signal is therefore necessary to protect vehicles approaching the crossing from the north. Applicant further alleges that no automatic signal device is necessary on the southside of the track as the view of approaching trains is unobstructed and that boulevard stop signs are established to the south of the tracks and San Leandro Boulevard (formerly Russet Street). Said street is parallel to and south

of the railroad right of way.

It appears that the request is reasonable, that one automatic signal will provide reasonable protection instead of two signals, as required in said general order, and that the application should be granted, therefore,

IT IS HEREBY ORDERED that The Western Pacific Railroad Company be and it is hereby authorized to install one (1) No. 3 wigwag signal, as specified in General Order No. 75-1, at the grade crossing of its main line track over Jones (or 96th) Avenue and designated as Crossing No. 4-13.3, subject to the following conditions:

- (1) The cost of installing and maintaining said signal shall be borne by applicant.
- (2) Said signal shall be located north of applicant's track and on the west side of Jones Avenue.
- (3) Applicant shall, within thirty (30) days thereafter, notify this Commission, in writing, of the completion of the installation of said signal and of its compliance with the conditions hereof.
- (4) 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.
- (5) 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 the permission herein granted 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 25<sup>th</sup>  
day of June, 1934.

Clarence  
Leon Sweeney  
W. J. Lee  
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Commissioners.