

Decision No. 20495

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of Application of SOUTHERN PACIFIC COMPANY for an order authorizing construction at grade of a spur track across Main Street and across two tracks of the Stockton Electric Railroad Company, in the City of Stockton, County of San Joaquin, State of California.

APPLICATION NO. 20963

ORIGINAL

BY THE COMMISSION:

O R D E R

Southern Pacific Company, a corporation, on January 15, 1937, applied for authority to construct a spur track at grade across Main Street and across two tracks of Stockton Electric Railroad Company, in the City of Stockton, County of San Joaquin, State of California. The necessary franchise or permit (Ordinance No. 1424) has been granted by the City Council of said city for the construction of said crossing at grade. Applicant and Stockton Electric Railroad Company have entered into an agreement, a certified copy of which is attached to the application, covering the construction of said crossing over Stockton Electric Railroad Company's tracks.

It appears 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 Southern Pacific Company is hereby authorized to construct a spur track at grade across Main Street

and across two tracks of Stockton Electric Railroad Company, in the City of Stockton, County of San Joaquin, State of California, at the location more particularly described in the application and as shown by the map (Western Division Drawing No. A-4773, Sheet No. 1 Revised) attached thereto, subject to the following conditions:

- (1) The above crossing of Main Street shall be identified as a portion of Crossing No. D-90.95.
- (2) The entire expense of constructing and thereafter maintaining the crossing of Main Street in good and first-class condition for safe and convenient use of the public, shall be borne by applicant.
- (3) Said crossing of Main Street shall be constructed equal or superior to the type shown as Standard No. 2, in our General Order No. 72, and shall be constructed of a width to conform to that portion of said street now graded, with the tops of rails flush with the pavement and with grades of approach not exceeding three (3) per cent.
- (4) The cost of construction and maintenance of the crossing over the tracks of Stockton Electric Railroad Company shall be borne in accordance with the terms of the agreement entered into by applicant and said electric railroad, and filed with and made a part of the application.
- (5) No train, engine, motor or car shall be operated over said crossing unless traffic on the highway is protected by a member of the train crew or other competent employee acting as flagman.
- (6) 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.
- (7) 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.
- (8) 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 25th
day of January, 1937.

[Signature]
Leon Wheeler
Frank Blum
Paul [unclear]
Ray & [unclear]
Commissioners.