

Decision No. 32218

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
County of Contra Costa for an order)
authorizing the opening of a public)
road in District No. 1, S.D. No. 4,)
across the tracks of the Atchison,)
Topeka and Santa Fe Railway Company,)
East of Pittsburg.)

Application No. 2815

In the Matter of the Application of)
County of Contra Costa for an order)
authorizing the opening of a public)
road in road District No. 1, S.D. No.)
4, across the tracks of Southern)
Pacific Company and the Atchison,)
Topeka and Santa Fe Railway Company,)
West of Pittsburg.)

Application No. 2816

ORIGINAL

BY THE COMMISSION:

FIRST SUPPLEMENTAL ORDER

The People of the State of California, on relation of the Department of Public Works, successor in interest to the County of Contra Costa in the above-entitled application, filed its supplemental application asking that the Commission issue its supplemental order apportioning the expense of maintenance of grade separations between The Atchison, Topeka and Santa Fe Railway Company, Southern Pacific Company, and the State of California, located in the vicinity of Pittsburg, Contra Costa County.

This Commission by Decision No. 4069, dated September 24th, 1917, authorized the County of Contra Costa to construct a county highway at separated grades under the tracks of The Atchison, Topeka and Santa Fe Railway Company near the easterly limits of Pittsburg, now designated as Crossing No. 2-1155.5-B, and to construct a county road at separated grade under the tracks of Southern Pacific Company (Crossing No. 3-47.2-B) and The Atchison, Topeka and Santa Fe Railway Company (Crossing No. 2-1157.5-B) west of the City of Pittsburg and allocated the cost of construction. The order, however, did not apportion the cost of maintenance of the structures.

The jurisdiction over said crossings at separated grades or portions thereof is now vested in the Department of Public Works of the State of California, and said Department of Public Works is now

asking that the Commission apportion the cost of maintenance of said grade separations.

It appears that the parties are in agreement with respect to an apportionment of said maintenance costs, and that this is not a matter in which a public hearing is necessary.

IT IS HEREBY ORDERED that the cost of maintenance of the grade separations authorized in Decision No. 4669 be apportioned as follows:

1. The Department of Public Works of the State of California shall bear the cost of maintenance of the structures below the base of the bridge seats and paving of grade separations identified as Crossings No. 2-1155.5-B, No. 2-1157.5-B, and No. E-47.2-B.

2. The Atchison, Topeka and Santa Fe Railway Company shall bear the cost of maintenance of that portion of the structures above the base of the bridge seats and the tracks and appurtenances thereto of grade separations designated as Crossings No. 2-1155.5-B and No. 2-1157.5-B.

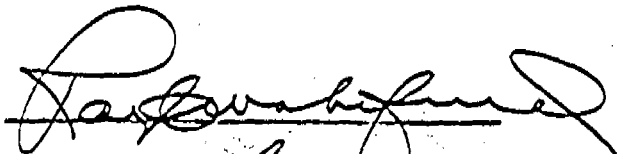
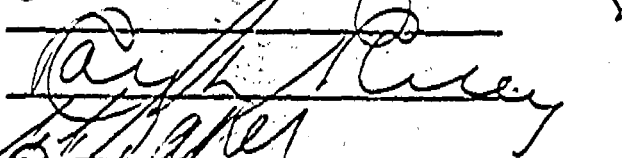
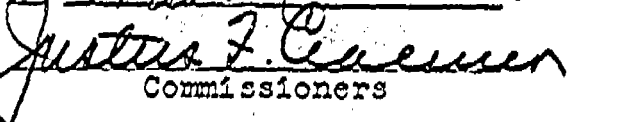
3. Southern Pacific Company shall bear the cost of maintenance of that portion of the structures above the base of bridge seats and tracks and appurtenances thereto of grade separations designated as Crossing No. E-47.2-B.

In all other respects Decision No. 4669 shall remain in full force and effect.

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

Dated at San Francisco, California, this 1st day of

August, 1939.




Commissioners