

Decision No. 24354

ORIGINAL

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of KEY SYSTEM,)
 a corporation, to construct railway crossings)
 across public highways and to construct a rail-) Application
 way across a railway track in the cities of) No. 24354
 Oakland and Berkeley, Alameda County, California.)

BY THE COMMISSION:

O R D E R

In the above-numbered application Key System requests authority to construct and operate an electric railroad at grade over crossings in Berkeley along the extension of its Berkeley Line from Adeline and Fairview Streets to Shattuck and University Avenues, in the City of Berkeley, and also along its line from the junction of East 14th Street and 46th Avenue to Beck Street and Havenscourt Boulevard, in the City of Oakland.

The crossings herein involved are in connection with a rearrangement of Key System's rail operations.

It appears that this is not a matter in which a public hearing is necessary and that the application should be granted, therefore

IT IS HEREBY ORDERED:

I. That the Key System is hereby authorized: (1) to construct tracks of its Berkeley Line Extension in the City of Berkeley, along Adeline Street and Shattuck Avenue between Fairview Street and University Avenue, in the City of Berkeley; and (2) on its Main Line Extension in the City of Oakland from the intersection of East 14th Street and 46th Avenue to Beck Street and Havenscourt Boulevard, in the City of Oakland, subject to the following conditions:

- (1) The above crossings shall be identified and protected as shown on Appendix "A" attached hereto and made a part hereof.
- (2) The entire expense of constructing and thereafter maintaining the crossings and protection in good and first-class condition for the safe and convenient use of the public shall be borne by applicant.
- (3) Said crossings shall be constructed equal or superior to the type shown as Standard No. 2 in our General Order No. 72, of a width to conform to those portions of the streets now graded, and with the top of rails flush with the pavement. Grades of approach shall not exceed 3%.

II. That the Key System is hereby authorized to construct its double track at grade over the Ward Street Yard track of Southern Pacific Company at the intersection of Ward Street and Adeline Street, in the City of Berkeley, at the location as shown by the map attached to the application, subject to the following conditions:

- (1) The entire expense of constructing and thereafter maintaining the crossing in first-class condition for safe and convenient railroad use shall be borne in accordance with an agreement approved by this Commission, a certified copy of which shall be filed within thirty (30) days after the effective date of this order. Should said agreement not be filed within the above-mentioned time, and further time be not granted by subsequent order, said costs shall be apportioned by a supplemental order.
- (2) All trains, motors, engines, and cars of applicant shall approach said crossing at a speed of 8 miles per hour, beginning at a location not less than 100 feet from the crossing, and such speed shall not be increased until said trains, motors, engines, or cars have passed over the crossing. In the event there is movement of trains, motors, engines, or cars approaching the crossing from either direction on the conflicting route, the trains, motors, engines, and cars of applicant shall be brought to a complete stop not more than 50 feet or less than 15 feet from the crossing, and shall not proceed thereafter until the movement on the conflicting route has been brought to a stop and an appropriate proceed signal has been received from a member of the crew operating the trains, motors, engines, or cars upon the conflicting route.
- (3) Trains, motors, engines, and cars of the Southern Pacific Company shall stop before proceeding across said crossing in either direction, and shall not pass thereover if any trains, motors, cars, or engines are approaching upon the conflicting routes within a distance which will render them in any way liable to conflict with the movement over the crossing about to be

(3) Cont'd

made, and, if no trains are seen approaching before such movement is made, the crossing must be protected in each direction during its occupancy by the trains, motors, engines, or cars of the Southern Pacific Company.

(4) Appropriate operating bulletins outlining the method of operation to be observed by trainmen of both carriers concerned in the use of said crossing, in accordance with Conditions (2) and (3) of Part II hereof, must be filed with this Commission before operation of trains is commenced over said crossing.

III. That the authorization herein granted shall be subject to the following conditions:

- (1) Applicant shall, within thirty (30) days thereafter, notify the Commission in writing of the completion of the installation of said crossings, and of its compliance with the conditions hereof.
- (2) The authorization herein granted shall lapse and become void if not exercised within one year from the date hereof, unless further time is granted by subsequent order.
- (3) The Commission reserves the right to make such further orders relative to the location, construction, operation, maintenance, and protection of said crossings 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 27th day of

July, 1941.

[Signature]

Francis J. Havener

[Signature]

. Commissioners

APPENDIX "A"

KEY SYSTEM

Berkeley Line, from Adeline and Fairview to
Shattuck and University Avenues, Berkeley

G.O. 75-B

Assigned Crossing Number	Local Name of Street Crossed	Number of Tracks	Prescribed Protection : Human Flagman : No. 2 : from 7 a.m. to: : Crossing: 7 p.m. when : Sign : trains are : : operating
7- 9.42	Woolsey Street	2 M.L.	1 -
7- 9.48	Prince Street	1 "	1 -
7- 9.52	Essex Street	1 "	1 -
7- 9.58	Emerson Street	1 "	1 -
7- 9.64	Ashby Avenue	1 "	1 -
7- 9.74	Russell Street	1 "	1 -
7- 9.78	Oregon Street	1 "	1 -
7- 9.84	Stuart Street	1 "	1 -
7- 9.91	Ward Street	2 "	1 -
7-10.02	Derby Street	2 "	2 -
7-10.08	Carlton Street	2 "	2 -
7-10.14	Parker Street	2 "	2 -
7-10.22	Blake Street	2 "	2 -
7-10.27	Dwight Way	2 "	2 1
7-10.34	Haste Street	2 "	2 -
7-10.40	Channing Way	2 "	2 -
7-10.46	Durant Avenue	2 "	2 1
7-10.52	Bancroft Way	2 "	2 -
7-10.59	Kittridge Street	2 "	2 -
7-10.65	Allston Way	2 "	2 1
7-10.71	Center Street	2 "	2 1
7-10.77	Addison Street	2 "	2 -

APPENDIX "A"

KEY SYSTEM

Havenscourt Branch, from E. 14th Street and 46th Avenue to Beck Street and Havenscourt Boulevard.

G.O. 75-B

Assigned Crossing Number	Local Name of Street Crossed	Number of Tracks	Prescribed Protection		
			Crossing Signs		Automatic Signals
			No. 1	No. 2	
7J-13.86	E. 14th Street	2 M.L.	-	1	1
7J-13.97	47th Avenue	2 "	2	1	-
7J-14.05	48th Avenue and Bond Street	2 "	2	3	-
7J-14.11	Fremont Way	2 "	-	1	-
7J-14.13	50th Avenue	2 "	-	1	-
7J-14.18	51st Avenue So.	2 "	-	1	-
7J-14.24	(51st Avenue No. (52nd Avenue So. & Wentworth Avenue	2 "	-	2	-
7J-14.34	54th Avenue	2 "	-	1	-
7J-14.47	Fairfax Avenue	2 "	-	1	-
7J-14.59	Colo Street	2 "	-	1	-
7J-14.66	(55th Avenue & Harvey Street	2 "	-	1	-
7J-14.73	Hilton Street	2 "	-	1	-
7J-14.83	(57th Avenue & Trask Avenue	2 "	-	2	-
7J-14.89	Avenal Avenue	2 "	-	2	-
7J-14.99	Seminary Avenue	2 "	1	1	-
7J-15.06	(60th Avenue & Fortune Street	2 "	-	1	-
7J-15.13	61st Avenue	2 "	-	1	-
7J-15.20	62nd Avenue	2 "	-	1	-
7J-15.26	63rd Avenue	2 "	1	1	-
7J-15.32	(64th Avenue & Beck Street	2 "	-	1	-
7J-15.38	65th Avenue So.	2 "	-	1	-
7J-15.44	66th Avenue So.	1 "	-	1	-
7J-15.50	Havenscourt Blvd.	1 "	-	2	-
