ORIGINAL

Decision No. 35276

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of Application of SOUTHERN PACIFIC)
COMPANY for an order authorizing (a) the construction of a drill track at grade across the)
main track of The Western Pacific Railroad Company,)
in the City of Oakland, County of Alameda, State of)
California, and (b) the relocation of four (4) ex-)
isting track crossings at said location.

Application No. 24,908

BY THE COMMISSION:

ORDER

Southern Pacific Company, a corporation, on April 11, 1942, applied for authority to construct a drill track at grade across the main track of The Western Pacific Railroad Company in the vicinity of Chestnut and First Streets, in the City of Oakland, County of Alameda State of California, and also to relocate four (4) of their existing track crossings at grade over said mentioned main line, all of which are located within interlocking limits of Southern Pacific Company's Magnolia Street Tower.

The proposed crossing and relocation of the four (4) existing track crossings are more particularly described on insert map and at locations shown in red and yellow on map of Western Division Drawing W-1047, Shoet 1, Revised March 5, 1942, all of which are attached to and made a part of the instant application.

The Western Pacific Railroad Company has consented to the construction of said crossing at grade and the relocation of said existing four (4) crossings across its track in accordance with an amended agreement between both parties, dated June 1, 1925, which will include the interlocking of said drill track.

It appearing that a public hearing is not necessary herein and that the application should be granted, subject to certain conditions,

hereby authorized to construct, maintain, and operate its drill track at grade, and relocate four existing track crossings at grade over the main track of The Western Pacific Railroad Company in the vicinity of Chestnut and First Streets, in the City of Oakland, County of Alameda, State of California, at the location more particularly described in the application and as shown by the map attached thereto, subject to the following conditions:

- (1) A certified copy of agreement between the applicant and The Western Pacific Railroad Company covering the terms of construction, operation, maintenance, and protection, as amended by a supplemental agreement between same parties dated June 1, 1925, shall be filed with this Commission before commencement of operation over said crossing.
- (2) Said crossing shall be protected by the present Magnolia Street interlocking plant, in conformity with the provisions of the Commission's General Order No. 33-B, or subsequent modification thereof, and in accordance with plans having been approved by the Commission.
- (3) Applicant shall, within thirty (30) days thereafter, notify this Commission, in writing, of the completion of the installation and relocation of said crossings 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 its permission if, in its judgment, public safety, convenience, and necessity demand such action.

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

Dated at Janacise, California, April 3/4,1942.

Commissioners