

prevent the use of this crossing by the general public as a means of access to or egress from the East Shore Highway. By subsequent order the time for carrying out these improvements has been extended and now expires on April 1, 1943.

It appearing that physical conditions in the vicinity of the crossing have materially changed during recent months, the Commission, on December 1, 1942, reopened these proceedings for further hearing and determination, and such hearing was held in Albany by Examiner Hall on December 16, 1942.

While the authority granted has not yet been exercised, the barricades required were erected, and for a number of months the use of the Buchanan Street crossing was limited to traffic to and from the Albany dump. Such traffic was light, and the crossing in its present physical condition and without special protection was probably entirely adequate for such use.

It now appears that due to the construction of a new access highway leading to the Richmond Ship Yards, the private driveways previously barricaded have become public thoroughfares, thus permitting extensive use of the Buchanan Street crossing in traveling to and from the East Shore Highway and the Richmond Access Highway. Traffic count submitted at the hearing showed this traffic to be approximately 1000 vehicles a day. Under these conditions the existing protection is entirely inadequate and should be immediately increased.

There is also under construction by the Maritime Commission a double track electric railway to be operated by the Key System, which will cross Buchanan Street in the immediate vicinity of the crossing with which we are concerned in these proceedings. This additional crossing will further complicate the situation, and it may be that some modification of the signal protection heretofore ordered will be required. It therefore appears desirable to suspend

final determination of these proceedings until the entire matter can be reviewed, including the application of the Key System for its crossing. In the meantime, however, an extremely hazardous condition exists which must be corrected. An Interim Order will therefore be issued requiring the maintenance of a human flagman 24 hours daily, empowered with police authority, the cost to be born equally by the City of Albany and Southern Pacific Company.

S E C O N D I N T E R I M O R D E R

Good Cause Appearing,

IT IS HEREBY ORDERED that Southern Pacific Company is directed to protect the crossing of Buchanan Street with its tracks in the City of Albany (Crossing No. A-13,67) by a human flagman 24 hours daily, said flagman to be deputized with police authority by the City of Albany, and the cost of maintaining the flagman to be born 50% by the Southern Pacific Company and 50% by the City of Albany. Said flagman shall be established forthwith and maintained until further order of the Commission. Effective date of this order shall be the date hereof.

It is further ordered that the Secretary of the Commission is hereby directed to serve a copy of this order by registered mail on Southern Pacific Company and the City of Albany.

Dated at San Francisco, California, December 22, 1942.

Justice F. Cassin

Francis S. Havens
Richard A. Bachman
Commissioners