

Decision No. 36357

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
MARKET STREET RAILWAY COMPANY for an)
order authorizing the reconstruction)
and reinstallation of a double track)
street railway crossing at grade over)
three tracks of Southern Pacific)
Company at Third and King Streets,)
San Francisco.)

Application No. 25624

ORIGINAL

BY THE COMMISSION:

O P I N I O N

Pursuant to a directive of the Office of Defense Transportation dated April 22, 1943, applicant is required to restore street railway service on Third Street within limits which will require the reinstallation of double track rail crossings of the Market Street Railway Company on Third Street over three lines of track of the Southern Pacific Company on King Street. Filed with the application are Exhibit "A," depicting the location of the mentioned crossings, and Exhibit "B," copy of a letter of consent from the Southern Pacific Company expressing agreement to immediate installation of the mentioned crossings in advance of the execution of a formal agreement which will be carried out on presentation. The letter from the Southern Pacific Company also confirms its understanding that the Market Street Railway Company will assume all costs of installation and future maintenance and that this Commission's authority will be secured.

Applicant states that it will provide the necessary flagman at said crossing during those times when street cars will be operated thereover.

It appears that the necessity for the reinstallation of these crossings is an urgent matter, that the applicant's request is reasonable, that a formal hearing is not necessary in connection with:

this proceeding, that applicant's request should be granted, and the following order will so provide.

O R D E R

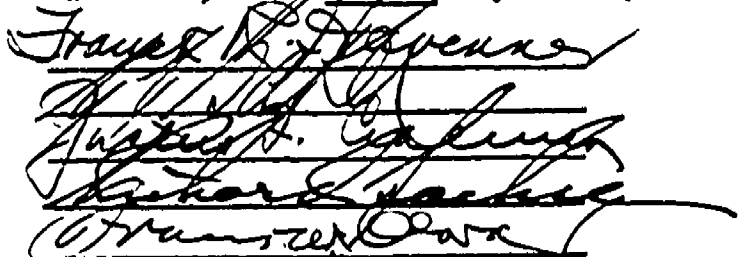
IT IS HEREBY ORDERED that Market Street Railway Company is hereby authorized to reinstall and operate the crossings shown on Exhibit "A" of the instant application, subject to the following conditions:

- (1) Expense of installation and maintenance and method of operation will be in accordance with the terms of agreement to be executed between Market Street Railway Company and Southern Pacific Company, tentative terms of which are shown in letter marked Exhibit "B" in the instant application, copy of which agreement will be filed with the Railroad Commission when executed.
- (2) All movements of rail equipment in either direction on the lines of Market Street Railway Company will come to a complete stop not less than ten (10) feet nor more than fifty (50) feet from the nearest rail of the crossing of the Southern Pacific Company tracks and will not proceed thereafter until given an appropriate proceed signal by a qualified flagman subject to the jurisdiction of the Market Street Railway Company. A proceed signal shall not be given authorizing rail movements of the Market Street Railway Company over the crossing unless no engines, cars, or trains are approaching on the conflicting route within a distance which will render it likely that an interference will occur with the movement about to be made over the crossing.
- (3) 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.

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

Dated at San Francisco, California, this 17th day of May.

1943.


Commissioners