

ORIGINAL

Decision No. 37404

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the Matter of the application of)
 The Western Pacific Railroad Company,)
 for permission to construct, operate)
 and maintain a spur track at grade across)
 25th Street and on Tennessee Street, and) Application No. 26314
 to cross lead track of The Atchison, Topeka)
 and Santa Fe Railway Company at the inter-)
 section of 25th and Tennessee Streets in)
 the City and County of San Francisco, to)
 serve Cleveland Wrecking Company.)

BY THE COMMISSION:

ORDER

The Western Pacific Railroad Company is authorized to construct a spur track at grade across 25th Street and a portion of Tennessee Street in San Francisco at the location described in the application, to be identified as Crossing No. LL-2.0-C. Applicant shall bear entire construction and maintenance expense. Construction of said crossing shall be equal or superior to Standard No. 2 of G. O. No. 72, without superelevation and of a width to conform to the portion of the street now graded, with tops of rails flush with roadway, and with grades of approach not exceeding 3 per cent. Protection shall be by one Standard No. 1 crossing sign. (G. O. No. 75-B).

Applicant is also authorized to construct said spur track at grade across a lead track of The Atchison, Topeka and Santa Fe Railway Company at 25th and Tennessee Streets, subject to the following conditions:

- (1) The entire expense of constructing and thereafter maintaining the crossing in first-class condition for safe and convenient railway use, the method of safeguarding operations thereof, and the allocation of other expenses which may be incurred in connection with the use of the crossing shall be agreed to in writing between The Western Pacific Railroad Company and The Atchison, Topeka and Santa Fe Railway Company, and a certified copy of such agreement shall be filed with the Commission within six months after the date of this order.

- (2) In the use of the crossing delineated on Exhibit "A", all engines, cars, or trains of The Western Pacific Railroad Company will come to a stop not less than ten feet (10') nor more than fifty feet (50') from the nearest rail of the crossing, and will not proceed thereafter until receiving an appropriate signal from a flagman or other qualified employee. Such signal shall not be given until it has been definitely ascertained that no engines, cars, or trains are approaching from either direction on the conflicting route under conditions which will render it possible for an interference to occur with the movement about to be made over the crossing. All engines, cars, or trains of The Atchison, Topeka and Santa Fe Railway Company shall approach the crossing at a speed from which a stop can be made before fouling the crossing in the event that the crossing is occupied or about to be occupied by engines, cars, or trains on the conflicting route. The engines, cars, or trains of The Atchison, Topeka and Santa Fe Railway Company shall take precedence in the use of the crossing.
- (3) Operating bulletins of The Western Pacific Railroad Company and The Atchison, Topeka and Santa Fe Railway Company governing the use of the rail crossing herein authorized under the conditions herein outlined, shall be filed with the Commission on or before the date when operation over the crossing is commenced.

Within thirty days after completion pursuant to this order, applicant shall so advise the Commission in writing. This authorization shall become void if not exercised within one year, unless time be extended, or if above conditions are not complied with. Authorization may be revoked or modified if public convenience, necessity or safety so require. This order shall be effective immediately.

Dated at San Francisco California October 17th 1924.

Richard S. Baker
Justice F. Green
Francis K. Haven
Franklin
John H. ...

COMMISSIONERS