

Decision No. 38107

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

CITY OF BURLINGAME, A Municipal Corporation,

Complainant,

vs.

SOUTHERN PACIFIC COMPANY, a Corporation,

Defendant.

Case No. 4613

ORIGINAL

BY THE COMMISSION:

O R D E R

In this complaint the CITY OF BURLINGAME requests that the Commission make an order requiring SOUTHERN PACIFIC COMPANY to install automatically controlled gates at three crossings in that city, namely, Broadway, Oak Grove Avenue, and Bayswater Avenue.

At a conference held in the Commission's office between representatives of the City of Burlingame, Southern Pacific Company and the Commission's staff, the city's representative stated that the complaint in so far as the crossings at Broadway and Bayswater Avenue was withdrawn and that the city was agreeable to contributing \$2,000 toward the cost of installing crossing gates at Oak Grove Avenue providing Southern Pacific Company bear the remainder of the expense. Southern Pacific Company has now informed the Commission that it is agreeable to this proposal. For the purpose of this order this portion of the installation will be referred to as the "vehicular gates."

It also appears that complainant and Southern Pacific Company have agreed to equip these gates with side-walk arms for the protection of pedestrian travel and to install two additional side-walk gates on the left approaches. This additional protection which will be referred to hereinafter as the "pedestrian gates" is estimated to cost \$363.00 and the parties have agreed to share this expense equally.

It appears that this matter can be disposed of without public hearing, therefore;

IT IS HEREBY ORDERED:

I. That Southern Pacific Company shall within six months from the effective date of this order, install two automatically controlled crossing gates for the protection of vehicular travel at the crossing of Oak Grove Avenue with its main line tracks in the City of Burlingame, Crossing No. E-15.9 replacing the existing Standard No. 5 crossing signals. Plans showing the type of gate and the method of control shall be submitted to the Commission for approval in advance of installation.

II. That said gates shall be equipped with side-walk arms and additional side-walk gates shall be installed on the left approaches.

III. That upon completion of the installation of said crossing gates as set forth in Sections I and II in a manner satisfactory to the Commission, the City of Burlingame shall within thirty days thereafter pay to Southern Pacific Company the sum of \$2,000.00 as its portion of the cost of installing the vehicular gates (Section I) and one-half, but not exceeding \$200.00, of the cost of the pedestrian gates (Section II). All other expense shall be borne by Southern Pacific Company.

IV. That this complaint in so far as it pertains to the crossing with Broadway and Bayswater Avenue is dismissed without prejudice.

V. That within thirty days after completion pursuant to this order, applicant shall so advise the Commission in writing.

The effective date of this order shall be twenty (20) days from the date hereof.

Dated San Francisco, California July 27, 1945.

David Anderson

Justis F. Craven

Howard Clark

Samuel L. Luce

COMMISSIONERS