

Decision No. 34199

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of the
People of the State of California, on
relation of the Department of Public
Works, for an order authorizing construc-
tion of crossings at separated grades of
the State Highway (East Shore Freeway)
and the Southern Pacific and Western
Pacific Railroads, at Fifth Avenue, in
the City of Oakland, County of Alameda,
State of California.

APPLICATION No. 27244

ORIGINAL

O R D E R

In this application and its amendment the Department of Public Works of the State of California requests an order authorizing the construction of an overhead grade separation structure, carrying the proposed East Shore Freeway across the main line tracks of Southern Pacific Company and The Western Pacific Railroad Company in the vicinity of 5th Avenue, Oakland, Alameda County. The project involves not only the grade separations but also the temporary relocation of certain tracks of Southern Pacific Company; the construction of new drill tracks at grade across an extension of 5th Avenue; the opening of a new crossing at grade of an off-ramp connection with the proposed drill track and the installation for protection at various crossings. Southern Pacific Company and The Western Pacific Railroad Company have stated in writing their respective positions with regard to the application, and it appears that this is not a matter on which public hearing is required.

Good Cause Appearing, IT IS ORDERED that the Department of Public Works of the State of California is authorized,

(I) To construct crossings at separated grades of East Shore Freeway over the main line of the Western Pacific Railroad Company and the Niles Line of Southern Pacific Company, in the

general vicinity of 5th Avenue in the City of Oakland, Alameda County, at the locations shown on the map attached to the application, to be identified as Crossings No. 4-7.5-A and No. D-7.6-A respectively. Construction and maintenance expense shall be borne in accordance with agreements entered into between the parties relative to construction and maintenance of said crossings, and copy of said agreements together with plans of said crossings approved by The Western Pacific Railroad Company and Southern Pacific Company shall be filed with the Commission within 120 days from the effective date of this order. Should the parties fail to agree, the Commission will apportion the cost of construction and maintenance by future order.

(II) To construct (a) two drill tracks at grade across an extension of 5th Avenue, to be identified as Crossing No. D-7.6-C, and (b) one drill track at grade across the proposed off-ramp connection at a point approximately 600 feet easterly of 5th Avenue, to be identified as Crossing D-7.7-C. Construction of said crossings shall be equal or superior to the Commission's Standard No. 2 of G. O. 72, without superelevation, and of the width to conform to portions of the roadways available to vehicular travel, with tops of rail flush with roadways and with grades of approach not exceeding two percent. Protection shall be by two Standard No. 8 flashing light signals at the crossing of the drill tracks with the extension of 5th Avenue (Crossing No. D-7.6-C) and by one Standard No. 8 flashing light signal at the crossing of the off-ramp connection with the drill track (Crossing No. D-7.7-C). Construction and maintenance of said crossings shall be borne in accordance with an agreement entered into between the interested parties and copy of said agreement shall be filed with the Commission within 120 days from the effective date of this order. Should parties fail to agree the Commission will apportion the cost of construction and maintenance by future order.

The existing crossing of 5th Avenue with existing tracks of Southern Pacific Company shall be protected by two Standard No. 8 flashing light signals, replacing the existing wigwags. The cost of installing said signals shall be borne by applicant but any expense necessary to revise the existing circuits so that they comply with the requirements of the Commission's G. O. 75-B shall be borne by Southern Pacific Company.

(III) To make such temporary and permanent rearrangement of the existing tracks of Southern Pacific Company crossing 5th Avenue as may be required in connection with the construction of the piers of the freeway. The cost of such relocation and replacing tracks in permanent location shall be borne by applicant.

Within thirty days after completion of the crossings herein authorized, applicant shall so advise the Commission in writing. This authorization shall become void if not exercised within two years, unless time be extended, or if conditions are not complied with. This order shall be effective immediately.

Dated, San Francisco, California July 9, 1946

David C. [Signature]
Justice J. [Signature]
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Commissioners