

ORIGINALDecision No. 74447

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of the City of Oakland,)
 a municipal corporation, acting by)
 and through its Board of Port)
 Commissioners for permission to)
 construct a railroad crossing at)
 grade across an existing railroad)
 belonging to Southern Pacific)
 Company located in the Port of)
 Oakland's Outer Harbor Terminal)
 Area, in the City of Oakland.)

Application No. 50379

ORDER

The Board of Port Commissioners of the City of Oakland, State of California, on June 9, 1968, applied for authority to construct a track at grade across the track of Southern Pacific Company in the Port of Oakland's Outer Harbor Terminal Area. Southern Pacific Company has consented in writing to the construction of said crossing at grade across its track provided that it install the two turnouts where the Port owned track crosses the lead to Albers Milling Company. The Port District has agreed to said provision.

It appearing that a public hearing is not necessary herein; that it is neither reasonable or practicable at this time to provide a grade separation or to avoid a grade crossing at the point mentioned; and that the application should be granted subject to certain conditions,

IT IS ORDERED that the Board of Port Commissioners of the City of Oakland is authorized to construct a track at grade across the track of Southern Pacific Company in the Port of Oakland's Outer Harbor Terminal Area, City of Oakland, County of Alameda, at the location more particularly described in the application and as shown by Drawing Number BS 3045, as revised July 6, 1968, and Drawing Number 123-14, dated June 14, 1968, attached thereto, subject to the following conditions:

1. The entire expense of constructing and thereafter maintaining the two turnouts where the Port owned track crosses Southern Pacific Company's lead to Albers Milling Company shall be borne in accordance with the terms of an agreement between Southern Pacific Company and the City of Oakland, Board of Port Commissioners, and said construction and maintenance shall be performed by Southern Pacific Company.
2. Applicant shall within 30 days thereafter notify this Commission in writing of the completion of the installation of said crossing.
3. The Commission reserves the right to make such further orders relative to the location, construction, operation and protection of said crossing as it may deem right and proper and to revoke this authorization, if, in its judgment, public convenience and necessity demand such action.

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

Dated at San Francisco, California, this 23rd day of JULY, 1968.

William J. ...
 President

William L. ...

Fred P. Monessey
 Commissioners

Commissioner A. W. Gatov, being necessarily absent, did not participate in the disposition of this proceeding.