

Decision No. 17121

ORIGINAL

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the application of
The Western Pacific Railroad Company,
Southern Pacific Railroad Company,
and Southern Pacific Company, for
approval of agreement providing for
joint use of certain tracks in the
City of Stockton, County of San
Joaquin, State of California.

Application No. 12858.

BY THE COMMISSION:

O R D E R

The Western Pacific Railroad Company, Southern Pacific Railroad Company and Southern Pacific Company filed the above entitled application with this Commission on the 18th day of May, 1926, asking for approval of a proposed agreement, copy of which is attached to application, for joint use of certain trackage in the City of Stockton, as shown on the map (M.W.D. Dwg. 4922, Sheet 1) attached to the proposed agreement.

Applicants state the purpose of applying for the joint use of tracks as provided in said agreement is to enable Southern Pacific Railroad Company and Southern Pacific Company to abandon and remove their drawbridge across Mormon Channel at Main Street in said City of Stockton, and to avoid the unnecessary duplication of tracks.

It appears to the Commission that this is not a case in which a public hearing is necessary; that the construction of a portion of said tracks across certain streets and the tracks of The Atchison, Topeka and Santa Fe Railway Company was authorized in Decision No. 16962, dated June 19, 1926; that the joint use of

tracks proposed in said agreement is in the public interest; that the agreement is just and reasonable, and that the application should be granted, therefore

IT IS HEREBY ORDERED that the above named applicants be and they are hereby authorized to operate jointly certain tracks in the City of Stockton in accordance with that certain proposed agreement, copy of which is attached to the above entitled application, and which is hereby approved, provided, however, that the values placed upon the several properties in the said agreement shall not be urged by either party as a measure of the value of said properties, or any other properties, for any purpose other than that covered by this proceeding.

IT IS HEREBY FURTHER ORDERED that this order shall not become effective until there shall have been filed herein a certified copy of the executed agreement, the form of which is hereby approved.

For all purposes, other than hereinabove stated, the effective date of this order shall be twenty (20) days from the date hereof.

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

July, 1926.

O. L. Leavelle

Ernest W. Scott

Leon Whitsett

COMMISSIONERS.