

Decision No. 17403

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the application of
The Atchison, Topeka and Santa Fe
Railway Company, a corporation, for
approval of agreement between appli-
cant and the Key System Transit
Company covering the construction,
maintenance and operation of a rail-
road crossing at the intersection of
Ohio Avenue and Commercial Street,
in the City of Richmond, County of
Contra Costa, State of California.

ORIGINAL

Application No. 13162.

BY THE COMMISSION:

O R D E R

The Atchison, Topeka and Santa Fe Railway Company, a corporation, filed the above entitled application with this Commission on the 8th day of September, 1926, in which approval of an agreement, entered into on July 16th, 1926, by applicant and Key System Transit Company, is sought. Said agreement contains a proviso that it is not to become effective until approved by this Commission. The agreement covers the terms of construction, operation and maintenance of a proposed crossing of a railroad track of applicant with a track of Key System Transit Company at the intersection of Ohio Avenue with Commercial Street extended northerly, in the City of Richmond, Contra Costa County, California, applied for under Application No. 12873, and granted, subject to certain conditions, in Decision No. 17347, dated September 20th, 1926.

It appears to the Commission that this is not a case in which a public hearing is necessary; that the proposed agreement

is just and reasonable and that the application for the approval thereof should be granted, therefore

IT IS HEREBY ORDERED that The Atchison, Topeka and Santa Fe Railway Company and the Key System Transit Company be and they are hereby authorized to carry into effect the agreement hereinbefore mentioned and which is hereby approved, providing, however, that nothing in this decision shall be deemed contrary or shall render void any of the conditions set forth in Decision No. 17347, dated September 20th, 1926 (Application No. 12873).

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

Dated at San Francisco, California, this 27th day of September, 1926.

H. H. Brundage

Chairman

Leon C. Whitely

Commissioners.