

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the matter of application of Southern Pacific Company, Southern Pacific Railroad Company and The Atchison, Topeka and Santa Fe Railway Company, under the provisions of Section 51 of the Public Utilities Act of the State of California, for an order approving an agreement between said companies and authorizing the acquisition of right-of-way for and the construction, maintenance and operation by said companies of a joint drill track extending from a connection with the main line of the railroad of Southern Pacific Railroad Company near 34th and Surryhne Streets to a connection with the tracks of The Atchison, Topeka and Santa Fe Railway Company near 21st and Kirkham Streets, including branches and spurs therefrom, all in the City of Oakland, Alameda County, California.

ORIGINAL

Application No. 13285.

BY THE COMMISSION:

ORDER

Southern Pacific Company, a corporation, and The Atchison, Topeka and Santa Fe Railway Company, a corporation, filed the above entitled application with this Commission on the 29th day of October, 1926, asking for authority to execute an agreement relating to the joint acquisition of right-of-way for and the joint construction, maintenance and operation by said companies of a drill track extending from a connection with the main line of the railroad of Southern Pacific Company near 34th and Surryhne Streets to a connection with the tracks of The Atchison, Topeka and Santa Fe Railway Company near 21st and Kirkham Streets, including branches and spurs therefrom, all in the City of Oakland, County of Alameda, State of California, and as shown by the map (M.W.D. Drawing 5450) attached to the agree-

ment. A copy of the agreement is filed with the application and marked "Exhibit A."

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 should be granted, therefore,

IT IS HEREBY ORDERED that the above named applicants be and they are hereby granted authority to carry into effect the agreement hereinbefore mentioned and which is hereby approved, subject to the following conditions:

(1) The values placed upon the several properties in the said agreement shall not be urged before this Commission 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.

(2) It is hereby further ordered that this order shall not become effective until there shall have been filed herein a certified copy of said agreement, duly executed, the form of which is hereby approved.

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

Dated at San Francisco, California, this 12th day of November, 1926.

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Commissioners.