

Decision No. 13849.**ORIGINAL**

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

<p>In the Matter of the Application of Pacific Electric Railway Com- pany for certain exemptions from General Order No. 75.</p>

Application No. 13845.
(Second Amendment to
Amended Application).

BY THE COMMISSION:

O R D E R

Pacific Electric Railway Company, a corporation, filed a second amendment to the amended application on this proceeding with this Commission on the 30th day of November, 1927, seeking authority to be relieved from the compliance with Section V-a of this Commission's General Order No. 75 at eight grade crossings on the so-called "Shorb Branch."

This line is operated for freight service only, trains operate at slow speed and the movements are infrequent, averaging not over one per day; practically all the operation is confined to the north end of the track. The right-of-way for this line divides Palm Avenue into two portions. This highway is improved with oil macadam and carries a moderate amount of vehicular traffic, largely of an industrial nature.

Service Inspector H. L. Englehardt, of the Commission's staff, submitted a report, dated December 28, 1927, on this line similar to his report on crossings covered by the main application. Copies of this report were furnished to applicant.

Applicant has agreed to comply with the recommendations set forth in said report, except as to road crossings at mile posts 8.40 and 8.78, these being unauthorized crossings

which have recently been made impassable by excavating the material adjacent to the rail down to the level of the top of the ties. It appears to the Commission that the recommendation contained in the Commission's representative's report, to which applicant has agreed, is reasonable and this proceeding is not one in which a public hearing is necessary, therefore,

IT IS HEREBY ORDERED that the Pacific Electric Railway Company, a corporation, be and it is hereby authorized to protect the public crossings on the sections of its line set forth in this second amendment to the amended application, in the manner recommended in the report of the Commission's representative, referred to above, with the exception of the said road crossings at mile posts 8.40 and 8.78.

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

Dated at San Francisco, California, this 8th day of February, 1928.

Leon Whipple
Secretary
Thomas J. Hart
M. J. Quinn
 Commissioners.