

Decision No. 20299.

## BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the matter of the application of Central Pacific Railway Company, a corporation, Southern Pacific Company, a corporation, and The Western Pacific Railroad Company, a corporation, for an order authorizing and approving an agreement between said Central Pacific Railway Company, Southern Pacific Company and The Western Pacific Railroad Company, pertaining to the sale by Central Pacific Railway Company to The Western Pacific Railroad Company of a one-half interest in and to a portion of a certain track at Niles, Alameda County, California, and providing further for the maintenance and joint operation of said portion of track.

ORIGINAL

Application No. 14995.

BY THE COMMISSION:

ORDER

Central Pacific Railway Company, a corporation, Southern Pacific Company, a corporation, and The Western Pacific Railroad Company, a corporation, filed the above entitled application with this Commission on the 27th day of August, 1928, asking for authority to execute an agreement entered into on the 16th day of February, 1928, relating to the sale by the Central Pacific Railway Company to The Western Pacific Railroad Company of one-half interest in and to a portion of a certain track at Niles, Alameda County, California, and providing further for the maintenance and operation of said portion of track as shown on the map attached to the agreement (Western Division Drawing No. N-168,

Sheet No. 1), copies of which agreement and map are filed with the joint application and made a part thereof, and it appearing to the Commission that this is not a case in which a public hearing is necessary, that the proposed agreement is reasonable, that the sale proposed conserves the public interest, and that the application should be granted, therefore,

IT IS HEREBY ORDERED, that the above named applicants be and they are hereby authorized to carry into effect the agreement hereinbefore mentioned, subject to the following provisions:

(1) Applicant shall, within thirty (30) days thereafter notify this Commission, in writing, of the completion of the property transfer herein authorized.

(2) The authority herein granted shall not be construed as a determination by this Commission of the value of the property for any other purpose other than the transfer herein authorized.

(3) If the one-half interest in said property shall not have been transferred within one year from the date of this order, the authorization herein granted shall then lapse and become void, unless further time is granted by subsequent order.

(4) The Commission reserves the right to make such further orders relative to this matter as to it may seem right and proper, and to revoke its permission if, in its judgment,

the public convenience and necessity demand such action.

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

Dated at San Francisco, California, this 3rd day of October, 1928.

Leon Whitell  
Commissioner

Thomas L. Sullivan

M. J. Carr

Commissioners.