

Decision No. 20929

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the Matter of the Application of
SOUTHERN PACIFIC COMPANY for an or-
der authorizing the construction at
grade of two spur tracks across a
portion of Stanford Place and across
Center Street in the City of Berkeley,
County of Alameda, State of California.

Application No. 11625.

BY THE COMMISSION:

FIRST SUPPLEMENTAL OPINION AND ORDER

The Commission, on November 13, 1925, rendered its Decision No. 15634, in Application No. 11625, wherein the Southern Pacific Company was authorized to construct a spur track at grade in a portion of Shattuck Avenue, City of Berkeley, County of Alameda, State of California, under certain conditions, one of which provides as follows:

(2) Said spur track shall be curbed off from the paved portion of the street by the construction of suitable curbs parallel with the rail and distant therefrom not more than three (3) feet, said curbing to effectively prevent the occupancy of the track by vehicles.

Southern Pacific Company, on February 7, 1929, filed a supplemental application, in which it states that mail and express are unloaded from the cars on the eastbound main track; that the Post Office Department has constructed concrete aprons

adjacent to the curbs along said spur track to permit the mail trucks, which receive mail from cars on the eastbound main track, to cross said curb and spur track and that in applicant's opinion this is the most practicable and safe place to unload mail into said mail trucks. Applicant has attached to its supplemental application a map (East Bay Division Drawing 4602) showing the location of said concrete aprons, and requests the Commission to modify the above provision in a manner that will permit the maintenance and use of said concrete aprons along the curbs at the location and in the manner shown on said map for the purpose hereinabove referred to.

The City of Berkeley has signified by letter that it has no objection to the granting of this application.

It appears to the Commission that the present proceeding is not one in which a public hearing is necessary and that applicant's request is reasonable and should be granted.

O R D E R

IT IS HEREBY ORDERED that Condition (2) of Commission's Decision No. 15634, dated November 13, 1925, in Application No. 11625, be and it is hereby amended to read as follows:

(2) Said spur track shall be curbed off from the paved portion of the street by the construction of suitable curbs parallel with the rail and distant therefrom not more than three (3) feet, said curbing to effectively prevent the occupancy of the track by vehicles, except that concrete aprons may be maintained along the most northerly 21 feet of said

curbing, to be used exclusively by trucks unloading mail from cars located on eastbound main line tracks.

In all other respects this Commission's Decision No. 15634, dated November 13, 1925, in this matter, shall remain in full force and effect.

Dated at San Francisco, California, this 2nd day of April, 1929.

Thomas D. Lott

Al Seaver

Leon Whitely

W. J. Carr
Commissioners.