

Decision No. 22798.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the matter of the application of
 THE CITY OF LOS ANGELES, THE ATCHISON,
 TOPEKA AND SANTA FE RAILWAY COMPANY,
 and the LOS ANGELES & SALT LAKE RAILROAD
 COMPANY, for a just and equitable apportion-
 ment of the cost of the construction of a
 viaduct across the Los Angeles River and
 the tracks of said railway company and rail-
 road company at Sixth Street, in the City
 of Los Angeles.

Application No. 15627.

ORIGINAL

BY THE COMMISSION:

SUPPLEMENTAL ORDER

The City of Los Angeles, one of the applicants in the above entitled matter, on July 26, 1930, transmitted to the Commission for its approval a certified copy of an agreement entered into by the County of Los Angeles, the City of Los Angeles, The Atchison, Topeka and Santa Fe Railway Company and Los Angeles and Salt Lake Railroad Company. In its letter of transmittal, the City of Los Angeles requested that the Commission issue a supplemental order reapportioning the costs of said viaduct in accordance with the allocation and apportionment thereof as outlined in said agreement above referred to.

This reapportionment of costs is made necessary due to the fact that the County of Los Angeles has agreed to participate in the costs of the ^{viaduct} ~~subway~~ to the extent of fifty (50) per cent of that amount apportioned to the City of Los Angeles, and also due to the fact that the City and County of Los Angeles have determined that it is desirable in the construction of the viaduct and approaches that provisions be

made for future use of the surface thereof for the street or rapid transit railways. The additional cost of the viaduct and approaches, due to this change in design, is to be borne by the City and the County. It appears to this Commission that the request of the City of Los Angeles is reasonable and should be granted, therefore

IT IS HEREBY ORDERED that Condition No. 3 of the Commission's Decision No. 21166, dated May 28, 1929, in the above entitled application be and it is hereby amended to read as follows:

(3) The cost of construction and maintenance of said viaduct should be borne in accordance with the agreement dated January 31, 1930, heretofore entered into between the interested parties, a certified copy of which was filed with this Commission on July 26, 1930, which provides for the apportionment of cost on the following basis:

"(1) The Salt Lake Company shall pay (for and on account of the other interested railroad companies) the extra cost of said viaduct due to provision being made for said elevated railroad structure from the said river bank to the passenger station of the Southern Pacific Company and for the elevated railroad structure for the use of the Pacific Electric Railway Company.

"(2) The City and County shall pay the extra cost of said viaduct due to provision being made for the future use of the surface thereof by street or rapid transit railways.

"(3) After deducting said extra costs specified in paragraphs (1) and (2), the remainder of the cost of construction of said viaduct, the approaches thereto, and said underpass, shall be apportioned and borne as follows:

The City	37 $\frac{1}{2}$ %
The County	37 $\frac{1}{2}$ %
The Atchison Company	12 $\frac{1}{2}$ %
The Salt Lake Company	12 $\frac{1}{2}$ %

In all other respects this Commission's Decision No. 21166 of May 28, 1929, in this matter shall remain in full force

and effect.

Dated at San Francisco, California, this 19th
day of August, 1930.

Clarence
Smith

Thos B. Lewis

Commissioners.