

Decision No: 23692 .

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the matter of application of SOUTHERN PACIFIC COMPANY for an order authorizing the relocation and reconstruction of the main track of its Clovis Branch, in, along and across Tulare Street and crossing 6th, 7th 8th and 9th Streets, in the City of Fresno, County of Fresno, State of California.

ORIGINAL

Application No. 14200.

BY THE COMMISSION:

FIRST SUPPLEMENTAL ORDER.

Southern Pacific Company, on April 28, 1931, filed a supplemental application in the above entitled proceeding, requesting authority to construct the crossings heretofore authorized by the Commission in its Decision No. 19543, dated April 2, 1928, in this proceeding at a location other than that specified in said Decision.

It appears that the City of Fresno has, by resolution of its City Commission, ordered applicant to relocate and reconstruct the main branch line track of the Clovis Branch of applicant in, along and across Tulare Street and across Sixth, Seventh, Eighth and Ninth Streets in the City of Fresno, at a specific location other than that authorized by the Commission in the above mentioned decision. It appears that this is a matter in which a public hearing is not necessary and that the request of applicant is reasonable; therefore,

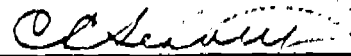
IT IS HEREBY ORDERED that the Southern Pacific Company is hereby authorized to construct the crossings heretofore


authorized in this proceeding of the main line track of its Clovis Branch across Tulare, Sixth, Seventh, Eighth and Ninth Streets in the City of Fresno, County of Fresno, at the locations described in the resolution by the City Commission of the City of Fresno, dated April 16, 1931, copy of which is attached to the supplemental application instead of the locations described in the Commission's Decision No. 19543, subject to the following conditions:

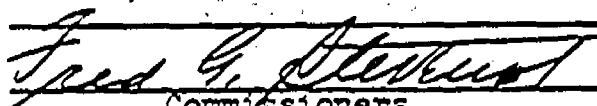
- (1) The entire expense of constructing the crossings, together with the cost of their maintenance thereafter in good and first-class condition for the safe and convenient use of the public, shall be borne by applicant.
- (2) Said crossings shall be constructed equal or superior to type shown as Standard No. 3, in General Order No. 72 of this Commission, and shall be constructed without super-elevation and of a width to conform to those portions of said streets now graded, with the tops of rails flush with the roadway and with grades of approach not exceeding two (2) per cent; shall be protected by suitable crossing signs and shall in every way be made safe for the passage thereover of vehicles and other road traffic.
- (3) Applicant shall, within thirty (30) days thereafter, notify this Commission, in writing, of the completion of the installation of said crossings.
- (4) If said crossings shall not have been installed 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.
- (5) The Commission reserves the right to make such further orders relative to the location, construction, operation, maintenance and protection of said crossings 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 effective date of this order shall be the date hereof.

Dated at San Francisco, California, this 11th day of May, 1931.






Commissioners.