

ORIGINAL

Decision No. 22800.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of
SAN JOSE RAILROADS, a corporation,
and PENINSULAR RAILWAY COMPANY, a
corporation, to abandon certain of
their franchises and tracks in and
about the cities of San Jose and
Willow Glen, in the County of Santa
Clara, State of California.

Application No. 16978.

BY THE COMMISSION:

FIRST SUPPLEMENTAL ORDER

Good Cause Appearing,

IT IS HEREBY ORDERED that the Commission's order in its Decision No. 23502, dated March 16th, 1931, in this proceeding, is hereby amended to read as follows:

O R D E R

"A public hearing having been held on the above entitled proceeding, the matter having been duly submitted and the Commission being now fully advised,

"IT IS HEREBY ORDERED:

"I. That, upon five (5) days' notice to the public and this Commission, San Jose Railroads and Peninsular Railway Company are hereby granted authority to abandon their franchises and discontinue the operation of street cars, and remove their tracks on Willow Street, in the Cities of San Jose and Willow Glen, County of Santa Clara, between McClellan Avenue, in the City of San Jose, and Lincoln Avenue, in the City of Willow Glen, provided that coincident

with the discontinuance of said street car service, or as soon thereafter as it legally can do so, applicant, Peninsular Railway Company, shall provide service over the track on Lincoln Avenue between Willow Street and Minnesota Avenue, as hereinafter described, comparable with that now furnished by the San Jose Railroads over said track herein authorized to be abandoned.

"II. That applicant, Peninsular Railway Company, is hereby granted authority to construct a connection and crossing at the intersection of Willow Street and Lincoln Avenue, in the City of Willow Glen, to provide a connection between the track on Lincoln Avenue, to the north of Willow Street, with the track on Lincoln Avenue to the south of Willow Street.

"III. That if, for legal reasons beyond its control, said applicant, Peninsular Railway Company, shall be unable to make a connection at Willow Street and Lincoln Avenue and provide such service on Lincoln Avenue, between Willow Street and Minnesota Avenue, coincident with the abandonment of said tracks on Willow Street, between McClellan Avenue and Lincoln Avenue, it shall be authorized to discontinue the service on Lincoln Avenue, between Willow Street and Minnesota Avenue, in the City of Willow Glen, until such time as the said crossing, referred to in Section II above, legally can be made.

"Applicants shall, within thirty (30) days thereafter, notify this Commission, in writing, of the abandonment of the service hereby authorized and of their compliance with the conditions hereof.

"The authorization herein granted shall lapse and become void if the same is not exercised within one (1) year from the date hereof, unless further time for said abandonment and revision

of service is granted by subsequent order of this Commission.

"The effective date of this order shall be ten (10) days from the date hereof."

In all other respects, Decision No. 23502 shall remain in full force and effect.

Dated at San Francisco, California, this 15th day of June, 1931.

Clarence
Leon Whiteley
W. P. Lee
W. B. Harris
Fred G. Stewart

Commissioners.