

Decision No. 24125.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the matter of application of
SOUTHERN PACIFIC COMPANY for an
order authorizing the construction
at grade of a spur track across a
portion of First Street and opera-
tion of a spur track in and along
Webster Street, to be constructed
by the Port of Oakland, in the City
of Oakland, County of Alameda,
State of California.

ORIGINAL

Application No. 17642.

BY THE COMMISSION:

FIRST SUPPLEMENTAL ORDER

Southern Pacific Company, on October 1st, 1931, filed its Supplemental Application herein, seeking a modification of condition (2) of Decision No. 24023, dated September 8th, 1931, in this proceeding, to the effect that instead of assessing to the applicant the cost of construction and maintenance of the crossing of Webster Street, that it be borne in accordance with the terms of an agreement entered into between applicant and the City of Oakland, through its Board of Port Commissioners. It appears that a public hearing is not necessary herein and that said Supplemental Application should be granted; therefore,

IT IS HEREBY ORDERED that Condition (2) of Decision No. 24023, dated September 8th, 1931, be amended to read as follows:

- (2) The entire expense of constructing and thereafter maintaining the portion of said track in Webster Street in good and first-class condition for safe and convenient use of the public shall be borne

in accordance with agreement, entered into between applicant and the City of Oakland, through its Board of Port Commissioners, a copy of which shall be filed with this Commission within ninety (90) days from the date of this order.

In all other respects Decision No. 24023 shall remain in full force and effect.

Dated at San Francisco, California, this 13th day of October, 1931.

CC Seamy
Leon Whidley
M. J. Cava
W. B. Kavin
Fred G. Stewart

Commissioners.