

Decision No. 24192.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the matter of the application of
NORTHWESTERN PACIFIC RAILROAD COM-
PANY for permission to construct
and maintain an industrial spur
track across the Toll Road, in the
City of San Rafael, County of Marin,
State of California.

Application No. 11693.

ORIGINAL

BY THE COMMISSION:

FIRST SUPPLEMENTAL ORDER

Northwestern Pacific Railroad Company, applicant herein,
on October 20, 1931, requested that Condition (4) of the Commission's
Decision No. 15637, dated November 13, 1925, in this proceeding, be
rescinded. This condition reads as follows:

"(4) Applicant shall not operate any train, motor,
engine or car over the crossing herein granted
between the hours of 10:00 A.M. and 10:00 P.M.
of any week day and shall not operate any train,
motor, engine or car over this crossing at any
time during any Sunday or legal holiday."

In the request for the rescinding of this condition, it
is set forth that the cost of serving the industry adjacent to the
spur track in question would be materially reduced if it could be
switched at any time of day that the engine crew was working in
that vicinity. It also is set forth that the company has spent
considerable money to eliminate hazard at this crossing through the
installation of flood lights and it is the conclusion of applicant
that the enforcement of the restriction of the hours of switching
does not increase the safety of operation over this highway.

The State Highway Commission has advised, by letter dated October 8th, that it does not oppose the granting of the request of Northwestern Pacific Railroad Company in this matter; therefore,

IT IS HEREBY ORDERED that Condition (4) of said Decision No. 15637 is hereby rescinded and of no further force and effect.

In all other respects, Decision No. 15637 shall remain in full force and effect.

Dated at San Francisco, California, this 2nd
day of November, 1931.

Leon Whiteley

W. A. Linn

W. B. Harris

Fred G. Stewart
Commissioners.