

Decision No. 24802.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of
 the CITY OF STOCKTON (a municipal
 corporation), THE ATCHISON, TOPEKA AND
 SANTA FE RAILWAY COMPANY, SOUTHERN
 PACIFIC COMPANY and THE WESTERN PACIFIC
 RAILROAD COMPANY for permission to con-
 struct, maintain and operate a line of
 railroad at grade over various public
 streets and roads.

Application No. 18123.

ORIGINAL

BY THE COMMISSION:

FIRST SUPPLEMENTAL ORDER

City of Stockton, The Atchison, Topeka and Santa Fe
 Railway Company, Southern Pacific Company and The Western Pacific
 Railroad Company filed their amended application in the above
 numbered proceeding, asking authority to construct, maintain and
 operate a line of railroad known as the Stockton Public Belt
 Railroad at grade across a spur track of Southern Pacific Company
 in the vicinity of Church Street in the City of Stockton, State
 of California.

The City of Stockton has entered into an agreement
 with said railroad companies relative to the operation of said
 Stockton Public Belt Railroad, known as Stockton Port Terminal
 Association contracts, a copy of which is attached to the
 application and designated as Exhibit "B."

It appearing that a public hearing is not necessary
 herein, that it is neither reasonable nor practicable at this
 time to provide a grade separation or to avoid a grade crossing
 at the point mentioned and that the amendment to the application

should be granted, subject to certain conditions.

IT IS HEREBY ORDERED that the City of Stockton, The Atchison, Topeka and Santa Fe Railway Company, Southern Pacific Company and The Western Pacific Railroad Company are hereby authorized to construct, operate and maintain a certain track known as Stockton Public Belt Railroad at grade across a spur track of Southern Pacific Company in the vicinity of Church Street, City of Stockton, State of California, at the location more particularly described in the amendment to the application and as shown by the map (Exhibit "A," Part 1) attached to the application, subject to the following conditions:

- (1) The entire expense of constructing and thereafter maintaining said crossing in good and first class operating condition shall be borne in accordance with the terms of said agreement dated November 20, 1931, attached to the application as Exhibit "B."
- (2) All trains, engines, motors or cars of applicants shall stop before proceeding across said crossing and shall not pass thereover until a member of the train crew or other competent employee has gone upon the crossing and has ascertained that it is safe to do so and shall have given a suitable signal to proceed.
- (3) Applicants shall, within thirty (30) days thereafter, notify this Commission, in writing, of the completion of the installation of said crossing and of their compliance with the conditions hereof.
- (4) The authorization herein granted shall lapse and become void if not exercised within one (1) year from the date hereof 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 crossing, as to it may seem right and proper and to revoke its permission if, in its judgment, public convenience and necessity demand such action.

The authority herein granted shall become effective on the date hereof.

Dated at San Francisco, California, this 23rd day of May, 1932.

W. A. Scavay
Leon O'Neil
W. A. C.
W. B. H.
Fred G. Stewart
Commissioners.