

Decision No. 25890 .

ORIGINAL

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the Matter of the Application of the People of the State of California, on relation of the Department of Public Works, for an order authorizing the construction of a crossing at separated grades of the State Highway and the Southern Pacific Railroad at Oil Junction, approximately five miles north of Bakersfield, Kern County, California.

Application No. 18420.

Frank B. Durkee, for Applicant.

H. W. Hobbs, for Southern Pacific Company.

SEAVEY COMMISSIONER:

OPINION ON REHEARING

Upon petition of the Southern Pacific Company, the Commission granted a rehearing of its Decision No. 25667 of February 27, 1933, in the above entitled matter.

By that decision the Commission granted applicant authority to construct the grade separation applied for and apportioned the cost of the proposed improvement between applicant and the Southern Pacific Company. In its petition for rehearing the Southern Pacific Company contends that the Commission, while considering the advantages resulting from decreased hazards at certain existing crossings at grade, gave no consideration to a new hazard created by the construction of an additional grade crossing over the spur tracks serving the company's freight depot at 24th and "R" Streets in Bakersfield, a crossing authorized by the Commission in Decision No. 25664 of February 27, 1933, in Application No. 17763.

After considering the testimony and argument offered at the rehearing, together with the record theretofore made, the Commission concludes that the apportionment of cost made in Decision No. 25667 is just and equitable. The proposed separated grade structure will result in the diversion of a substantial amount of traffic from existing grade crossings over the main line tracks of the Southern Pacific Company at Bakersfield and will materially reduce the traffic hazard at this point.

ORDER ON REHEARING

A further hearing having been held in the above entitled proceeding, and the matter now being ready for decision,

IT IS HEREBY ORDERED that the order of the Commission in said Decision 25667 be and the same is hereby reaffirmed.

The foregoing Opinion and Order on Rehearing is hereby approved and ordered filed as the Opinion and Order on Rehearing of the Railroad Commission of the State of California.

Dated at San Francisco, California, this 1st day of May, 1933.

C. Stearns
Leon C. Wheeler
W. J. Cunn
W. B. Harris
W. H. Roberts
Commissioners.