

Decision No. 11155

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

ORIGINAL

Growers Packing and Warehousing
Association, Inc., a corporation,

Complainant,

vs.

Northwestern Pacific Railroad
Company, a corporation,

Defendant.

Case No. 1732.

Boyd Oliver, for complainant and
Pioneer Fruit Company.
Stanley Moore and R.W. Palmer,
for Defendant.

BY THE COMMISSION:

OPINION ON PETITION FOR MODIFICATION
OF PRIOR ORDER.

A public hearing on the petition of complainant for modification of prior order was held before Examiner Satterwhite October 7, 1922 in San Francisco.

Petitioner asks that Decision No. 10858 of the Commission in this matter be so modified as to remove the restriction of spotting cars within 75 feet of the Bosch Avenue crossing in so far as it applied to the track serving the warehouses of the complainant or of the Pioneer Fruit Company. Inadequate showing was made at this hearing as to why this modification should be made. It appears that other forms of relief are available to the industry affected without jeopardizing the safety of the public in use of the Bosch Avenue crossing and it appearing that the pro-

tection provided in the prior order of the Commission is the minimum protection to which the public is entitled in the use of this crossing and that the petition for modification of prior order should be denied.

ORDER ON PETITION FOR MODIFICATION OF PRIOR ORDER

Growers Packing and Warehousing Association, incorporated, having filed a petition for modification of prior order in the above entitled proceeding, a public hearing having been held, the Commission being apprised of the facts and the matter being under submission and ready for decision,

IT IS HEREBY ORDERED, that the petition for modification of prior order be and it is hereby denied.

Dated at San Francisco, California, this 23rd day of October, 1922.

James M. Martin
Charles J. Ferguson
A. J. Pennington

Commissioners.