

ORIGINAL

Decision No. _____.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

Decision No. 4708

In the matter of the application of)
the COUNTY OF SAN BERNARDINO for per-)
mission to construct crossings across)
the tracks of The Atchison, Topeka and)
Santa Fe Railway Company at Al Rey)
siding and near the station known as)
Gish.)
.....)

Application No. 1764.

J. I. Campbell for applicant.

M. W. Reed for The Atchison, Topeka and Santa Fe
Railway Company.

GORDON, Commissioner,

FIRST SUPPLEMENTAL OPINION.

A supplemental application, filed by the County in this matter on July 20, 1917, asked the Commission to modify its original order in this application, as far as that order required the expense of the installation of automatic flagmen at the two crossings opened to be borne by the County.

It appears that at the first hearing applicant secured the idea that these installations could be made for about \$500. each. After they had been installed by the Santa Fe this company rendered the county two bills, one for \$1090.12 covering the crossing at Gish, and one for \$1676.75 for the crossing at Al Rey. It was to secure a different apportionment of this expense that the supplemental application was filed.

The County paid the bill for \$1090.12 covering the first installation but it refused to pay the second bill, pending a decision by the Commission. At the hearing it was suggested that a fair way of clearing up the misunderstanding would be for each party to stand half

of the second bill, or \$838.38 each and inasmuch as this appears to me to be fair, I shall recommend that the original order be modified to require it.

FIRST SUPPLEMENTAL ORDER.

SAN BERNARDINO COUNTY, California, having made a supplemental application to the Commission, as explained in the foregoing opinion, and it appearing that The Atchison, Topeka and Santa Fe Railway Company should bear a portion of the cost of the installation of the automatic flagmen;

IT IS HEREBY ORDERED, That The Atchison, Topeka and Santa Fe Railway Company contribute the sum of \$838.38 toward the expense of the installation of these two automatic flagmen;

IT IS HEREBY FURTHER ORDERED, That all other provisions in this order be and the same hereby are in full force and effect.

Dated at San Francisco, California, this 30 day of October, 1917.

Max Heeler
H. Howard
Alvin Gordon
Edwin O. Edgerton
Frank R. Butler

Commissioners.