

Decision No. 6357.

ORIGINAL

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the application
of the COUNTY OF TULARE for per-
mission to construct a crossing
of a public highway over a rail-
road of the Southern Pacific Com-
pany and the Southern Pacific
Railroad Company, on the north
line of Section 23, Township 22
South, Range 27 East, Mt. Diablo
Base and Meridian, about one-half
way between the City of Porterville
and the Town of Terra Bella.

Application No. 4437.

W. W. Middlecoff, Deputy District Attorney,
for applicant.

Frank B. Austin, for United States Railroad
Administration, Southern Pacific
Company.

MARTIN, Commissioner.

O P I N I O N

On March 15, 1919, the County of Tulare filed with the Commission an application asking permission to construct a crossing at grade over the tracks of the Southern Pacific Company and the Southern Pacific Railroad Company on the North line of Section 23, Township 22 South, Range 27 East, Mt. Diablo Base and Meridian, about half way between the City of Porterville and the Town of Terra Bella. On May 13, 1919, a hearing was held at Visalia, California, at which both interested parties were represented.

In view of the fact that the Commission, on March 22, 1919, granted the County of Tulare permission to construct a crossing at grade over the tracks of the Southern Pacific Company on the North line of the Southwest quarter of Section 14, Township 22 South,

Range 27 East (Decision No. 6211), which crossing is one-half of a mile north of the crossing applied for in this application, the County of Tulare feels that public convenience and necessity will be amply served by the crossing previously granted and that the crossing applied for in this application is not necessary at this time. The County therefore asks that the application be dismissed, which is satisfactory to the Southern Pacific Company.

I recommend the following form of order:

O R D E R

The COUNTY OF TULARE having applied to the Commission for permission to construct a crossing at grade over the right of way and tracks of the Southern Pacific Company and the Southern Pacific Railroad Company on the North line of Section 23, Township 22 South, Range 27 East, Mt. Diablo Base and Meridian, about half way between the City of Porterville and the Town of Terra Bella, in the County of Tulare, State of California, as shown by the map attached to the application; a public hearing having been held and the County having applied to have the application dismissed;

IT IS HEREBY ORDERED, That this application be and the same is hereby dismissed.

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

Dated at San Francisco, California, this 23rd day of May, 1919.

Edwin O. Edgerly
John B. ...
Drury ...