

ORIGINAL

Decision No. 9739

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

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In the matter of the application
of the City of South Pasadena, a
Municipal Corporation of the State
of California, for permission to
install a grade crossing over the
tracks of Southern Pacific Company
at Spruce Street.)
Application No. 7174.

By The Commission:

SUPPLEMENTAL ORDER

Southern Pacific Company, having on October 24, 1921, filed a petition for rehearing or supplemental order in the above entitled matter requesting that the Commission modify its Decision No. 9600 by assessing the maintenance cost of paving and automatic flagman at Spruce Street crossing over the tracks of Southern Pacific Company at South Pasadena in accordance with the agreement between the City of South Pasadena and Southern Pacific Company dated July 5, 1921, copy of which was attached to the original application as Exhibit "A", said City of South Pasadena and said Southern Pacific Company having both subsequently consented in writing that the cost of maintaining the pavement of said crossing should be borne by the City of South Pasadena, and that the cost of maintaining the automatic flagman at said crossing should be borne by Southern Pacific Company, and it appearing to the Commission that it is proper that cost for maintaining this crossing be borne as thus agreed to, and it further appearing that this is not a case where a public hearing is necessary, and that the petition for a rehearing be denied,

IT IS HEREBY ORDERED, that Decision No.9600 dated October 14, 1921, be amended by having condition (1) on page 4 of said Decision amended to read as follows:

(1) The entire expense of constructing and maintaining the crossing shall be borne by the applicant, and

IT IS HEREBY FURTHER ORDERED, that the petition of Southern Pacific Company for rehearing in the above entitled matter be and it is hereby denied.

Dated at San Francisco, California, this 10th day of November, 1921.

H. B. Randall

Erving Martin

J. T. Denahan
Commissioners.