

Decision No. 28259.

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 con-
struction of a crossing at separated
grades of the State Highway and the
tracks of the Southern Pacific Railroad
at McConnell Station, Sacramento County.

Application No. 17928.

ORIGINAL

BY THE COMMISSION:

FIRST SUPPLEMENTAL ORDER

The Federal Government is, under Section No. 204 of the National Industrial Recovery Act, contributing funds to finance highway improvements, the expenditure of which, in so far as California is concerned, will be under applicant's direct supervision after the general program has been approved by Government officials. The separation involved herein has been included in this highway development program and the railroad has therefore asked that the Order in Decision No. 25889 be modified with respect to the apportionment of cost of said separation. Applicant has signified, in writing, that it is agreeable to such a modification and it appearing that this request is reasonable and should be granted

IT IS HEREBY ORDERED that Condition (2) of Decision No. 25889, dated May 1, 1933, in this proceeding, which reads as follows:

- "(2) Southern Pacific Company shall contribute Fifteen Thousand Dollars (\$15,000) towards the cost of construction of said separation. The entire remaining cost of construction shall be borne by applicant."

be modified to read as follows:

- "(2) The expense of constructing said separation shall be borne in accordance with an agreement to be entered into between Applicant and Southern Pacific Company, a copy of which shall be filed with this Commission on or before December 15, 1933."

In all other respects Decision No. 25889 shall remain in full force and effect.

Dated at San Francisco, California, this 25TH day of September, 1933.

O. S. Seaver
Leon A. Wheeler
H. H. A. Cunn
M. B. Harris
W. H. H. H. H.
Commissioners.