

Decision No. 28881.

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 construction of a crossing at separated grades of the State Highway and the Southern Pacific Railroad at Oil Junction, approximately five miles north of Bakersfield, Kern County, California.

ORIGINAL

Application No. 18420.

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. 25667 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. 25667, dated February 27, 1933, in this proceeding, which reads as follows:

"(2) Southern Pacific Company shall contribute Twelve Thousand Dollars (\$12,000.) toward 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. 25667 shall remain in full force and effect.

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

C. L. Seaver
Leon C. Wheeler
W. J. C. ...
M. B. Harris
W. H. ...

Commissioners.