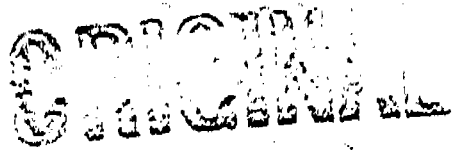


Decision No. 26482.



BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the Matter of the Application of the CITY OF SAN BERNARDINO, a municipal corporation, for an order directing the reconstruction of an overhead highway over certain railroad tracks.

Application No. 17616.

BY THE COMMISSION:

SECOND SUPPLEMENTAL ORDER

It appears that the grade separation heretofore authorized in this proceeding is to be financed in part from funds appropriated by the Federal Government under the National Industrial Recovery Act and that the parties are entering into an agreement covering apportionment of cost on a somewhat different basis from that prescribed in Condition (2) of the Commission's Order in Decision No. 24782, dated May 23, 1932.

Under date of October 26, 1933, applicant filed with the Commission a request for a modification of the order to provide that the apportionment of cost shall be in accordance with an agreement to be entered into by the interested parties. Request was also made for an extension of time in which to construct this separation, the time limit for the completion of this work being fixed in said Decision No. 24782 at November 23, 1933.

These requests appear to be reasonable and should be granted, therefore,

IT IS HEREBY ORDERED that Condition (2) of said Decision No. 24782 is hereby 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 the interested parties, a certified copy of which shall be filed with the Commission within ninety (90) days from the date hereof.

IT IS HEREBY FURTHER ORDERED that the time limit for compliance with Condition (6) in Decision No. 24782, is hereby extended to and including July 1, 1934.

In all other respects Decision No. 24782 shall remain in full force and effect except as modified in Decision No. 24883, dated June 13, 1932.

Dated at San Francisco, California, this 30th day of October, 1933.

A. L. Sawyer
Leon Whitley
M. J. Lee
M. B. Linn
A. J. MacArthur

Commissioners.