

Decision No. 28225

**ORIGINAL**

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the Matter of the Application of THE CITY OF LOS ANGELES, a municipal corporation, SOUTHERN PACIFIC RAILROAD COMPANY, a corporation, and SOUTHERN PACIFIC COMPANY, a corporation, its lessee, THE ATCHISON, TOPEKA AND SANTA FE RAILWAY COMPANY, a corporation, and LOS ANGELES & SALT LAKE RAILROAD COMPANY, a corporation, to construct railroad tracks across (1) Macy Street, and (2) College Street, in the City of Los Angeles, County of Los Angeles, State of California, in a manner resulting in a separation of grades at (1) Macy Street, and (2) College Street.

Supplemental  
Application No. 19259.

E. E. Bennett, for Los Angeles & Salt Lake Railroad Co.  
Robt. Brennan, for The Atchison, Topeka and Santa Fe Railway Company.  
Frank Kerr and C. W. Durbrow, for Southern Pacific Railroad Company and Southern Pacific Company.  
Ray L. Chesebro and Frederick Van Schrader, for City of Los Angeles.  
LeRoy M. Edwards and Paul Overton, for Los Angeles Gas & Electric Corporation.  
Gibson, Dunn & Crutcher, Woodward M. Taylor, for Los Angeles Railway Corporation.  
J. Ogden Marsh, for Board of Public Utilities and Transportation of the City of Los Angeles.  
J. H. O'Connor, for County of Los Angeles.  
W. B. Krieger, for Postal Telegraph & Cable Company.  
Oscar Lawler, for Southern California Telephone Company.

CARR, COMMISSIONER:

SUPPLEMENTAL OPINION AND ORDER

In Decision No. 26532 in the above entitled application, applicants were authorized to construct grade separations at Macy Street and College Street, respectively, in connection with the construction of the Los Angeles Union Passenger Terminal. On August 28, 1935, applicants filed a supplemental application requesting a

modification of said decision, substituting Queirolo Street for College Street, and the approval of an agreement (Exhibit "A" attached to the supplemental application) between the City and the railroads, fixing the location and scope of said grade separations and defining the obligations of the parties in the construction thereof.

A public hearing was conducted on August 30, 1935, at Los Angeles, and from the record it appears that all parties are in agreement as to the proposed modifications. While definite plans for the Queirolo Street separation have not been prepared, the cost is estimated at \$477,000.

The request of applicants appears to be reasonable and the application should be granted, therefore,

IT IS HEREBY ORDERED that the Commission's Order in its Decision No. 26532, dated November 14, 1934, be and it is hereby modified in the following respects:

- (1) Wherever the words "College Street" appear in said Order in relation to a grade separation, the words "Queirolo Street" shall be substituted therefor and all references to a grade separation structure at College Street or of the land or damages incident to such a grade separation appearing in said Decision No. 26532 are no longer effective.
- (2) Wherever the words "Exhibit 1 (Exhibit B attached to the application)" appear in said Decision No. 26532, the words "Exhibit B modified, attached to the Supplemental Application" shall be substituted.
- (3) The words "by October 1, 1936," shall be substituted for the words "within two (2) years from the date of this order," appearing in Condition (9) of said Decision No. 26532.

IT IS HEREBY FURTHER ORDERED that the proposed contract (Exhibit "A"), attached to the supplemental application, be and it is hereby approved and authorized in so far as this Commission has authority to do so.

In all other respects said Decision No. 26532 shall remain in full force and effect.

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 16<sup>th</sup> day of September, 1935.

Leon Whitney

W. H. C.

M. B. Harris

Frank R. DeWitt

Commissioners.