

Decision No. 29681

## BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of the State of California, on relation of the Department of Public Works, for an order authorizing the relocation of certain tracks and the installation of certain crossings at grade of city streets and the tracks of The Western Pacific Railroad, in the vicinity of East 12th Street, in the City of Oakland, Alameda County, California.

Application No. 20269

BY THE COMMISSION:

**ORIGINAL**SECOND SUPPLEMENTAL ORDER

In Decision No. 28439 in the above entitled proceeding, the Commission authorized the Department of Public Works to relocate the main line track of The Western Pacific Railroad Company from East Twelfth Street, Oakland, and authorized the construction of certain new crossings at grade, among which was the crossing of said relocated track with 22nd Avenue and 29th Avenue.

Condition (5) of Commission's Order required that said 22nd Avenue and 29th Avenue crossings be protected by two Standard No. 5 crossing signals, but it now appears desirable that in lieu of said No. 5 crossing signals, the crossing at 22nd Avenue be protected by a human flagman ten (10) hours daily. Said flagging service can be provided by extending the duties of the flagman now protecting the adjacent crossing of 22nd Avenue with the tracks of Southern Pacific Company.

It appearing that this is not a matter in which a public hearing is necessary,

IT IS HEREBY ORDERED that Condition (5) of said Decision No. 28439 be and it is hereby modified to read as follows:

- (5) The crossing of 29th Avenue (Crossing No. 4-9.4) herein authorized shall be protected by two (2) Standard No. 5 crossing signals, as prescribed in General Order No. 75-A, and that of 22nd Avenue (Crossing No. 4-8.8) shall be protected by a human flagman between the hours of 8:00 A.M. and 6:00 P. M. daily.

In all other respects Decision No. 28439, as modified by Decision No. 28542 shall remain in full force and effect.

The effective date of this Order shall be the date hereof.

Dated at San Francisco, California, this 12<sup>th</sup> day of April, 1937.

*[Signature]*  
Leon Whalley  
Francis R. Durbin  
*[Signature]*  
Ray & Riley  
Commissioners