

ORIGINAL

Decision No. 29800.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the Matter of the Application of the  
PEOPLE OF THE STATE OF CALIFORNIA, on re-  
lation of the Department of Public Works,  
for an order authorizing construction of  
a crossing at grade of the State Highway  
and the tracks of the Southern Pacific  
Railroad, Niles-San Jose Line (DA), near  
San Jose, in Santa Clara County, California.)

Application No. 20630.

BY THE COMMISSION:

FIRST SUPPLEMENTAL ORDER

Applicant in the above entitled proceeding has requested modification of Decision No. 29170 to permit the opening of the grade crossing therein authorized prior to the installation of the Standard No. 5 crossing signals required under Condition (4) of said decision.

The crossing concerned is that of the Bayshore Highway with the Niles Line of Southern Pacific Company and it appears that negotiations are now under way to finance the construction of a grade separation at this point, which, if constructed, would eliminate the crossing at grade. Pending determination of whether or not the grade separation is to be constructed, applicant desires to be relieved of the necessity of expending some \$4,000 for signals which would have little salvage value.

It appears that this is a matter in which a public hearing is not necessary and that the request of applicant is reasonable and should be granted, therefore,

IT IS HEREBY ORDERED that Condition (4) of the Commission's Decision No. 29170, dated October 9, 1936, is hereby modified to read as follows:

