## ORIGINAL

Decision No. 53421

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the matter of application of SOUTHERN PACIFIC COMPANY for an order authorizing the contruction at grade of a spur track across Polman Avenue, County of Contra Costa,) State of California.

Application No. 38185

## CRDER

Scuthern Pacific Company is authorized to construct a spur track at grade across Polman Avenue near Shell Point, Contra Costa County, at the location described in the application. Applicant shall bear entire construction and maintenance expense.

It is alleged that Polman Avenue is not at present open to public use and travel, and this order is not to be deemed authority for such opening.

Within thirty days after completion pursuant to this order, applicant shall so advise the Commission in writing. This authorization shall become void if not exercised within one year, unless time be extended, or if above conditions are not complied with. Authorization may be revoked or modified if public convenience, necessity, or safety so require.

The effective date of this order shall be twenty days after the date hereof.

Dated at San Francisco, California, this 15 day of San Francisco, California, this 15 day of San Francisco

Commissioners

Commissioner Rex Hardy being necessarily absent. did not participate in the disposition of this proceeding.