

Decision No. 40645

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application)
of the COUNTY OF ORANGE for an)
order authorizing the construction)
and maintenance of a temporary)
crossing over the Pacific Electric)
Railway Company's tracks and right)
of way at Fifth Street, Sunset)
Beach, Orange County, California.)

ORIGINAL
Application No. 23225
First Supplemental

O R D E R

By Decision No. 32^o27, dated February 20, 1940, the County of Orange was authorized to construct Fifth Street at grade over the tracks of the Pacific Electric Railway Company at Sunset Beach for a temporary period until the crossing of Los Patos Avenue could be reopened. Numerous extensions of time have been granted for the continuation of the temporary crossing at Fifth Street.

Applicant, by its First Supplemental Application, alleges that the United States Government is contemplating and has appropriated money for the protection of the beach in the area; that it would be inadvisable to attempt to change the crossing to the Los Patos Avenue location; and therefore requests that the Fifth Avenue crossing be made a permanent one.

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

IT IS HEREBY ORDERED that the paragraph on sheet one of Decision No. 32^o27 reading:

"The crossing authorized herein is to be temporary only and shall be abandoned and removed at applicant's sole expense within two years from the date hereof, unless further time is granted by subsequent order."

be and the same is hereby rescinded and of no further force and effect.

In all other respects Decision No. 32827 is reaffirmed and in full force and effect.

The effective date of this order shall be twenty (20) days from the date hereof.

Dated at San Francisco, California, August 26, 1947.

Harold P. Kild
Justus J. Cassin
Robert H. Hill
Edmond
Kenneth Potter

COMMISSIONERS