

Decision No. 42939

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
 SOUTHERN PACIFIC RAILROAD COMPANY)
 and SOUTHERN PACIFIC COMPANY for)
 authority to alienate access rights) Application No. 30307
 between their right-of-way and the)
 adjacent State Highway in the)
 vicinity of Zamora)

O P I N I O N

The applicants (hereinafter referred to as the Railroad) seek authority, pursuant to Section 51(a) of the Public Utilities Act, to alienate to the State of California, subject to certain reservations, the right of access to and from the Railroad's mainline right-of-way abutting on an adjacent state highway east of Zamora, Yolo County, all as more particularly described in this application and the map attached thereto. The Railroad proposes to accept from the State of California as consideration for this alienation the sum of \$50.

It appears the Railroad's property is necessary and useful in performing its duties to the public. We find, however, that the disposing of the right of access subject to the reservations described in this application will not interfere with or prevent the Railroad from fulfilling these obligations.

After considering the facts of record we conclude the authority requested should be granted. A public hearing is deemed unnecessary.

O R D E R

Good cause appearing and based upon the findings and conclusions set forth in the opinion,

IT IS ORDERED that Southern Pacific Railroad Company and Southern Pacific Company are hereby authorized to alienate to the State of California the right of access to and from their Sacramento Valley west side mainline right-of-way where it abuts upon an adjacent State Highway east of Zamora, Yolo County, between approximately Engineer Station 550+60 and Engineer Station 577+09 of the center line of said railroad, reserving, however, to the applicants, their successors, and assigns, their right of access between said highway and their said right-of-way as long as the same is used for railroad purposes to the extent reasonably necessary for the operation, construction, and maintenance of applicants' railroad and any railroad facilities and appurtenances now or hereafter located upon applicants' said right-of-way; with the proviso that pole lines, communication lines, and pipe lines shall be considered railroad facilities.

This order will be effective 20 days after the date hereof.

Dated at Los Angeles, California, this 1st
day of June.

R. J. [Signature]

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Commissioners