

ORIGINAL

Decision No. 43313

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of THE )  
 WESTERN PACIFIC RAILROAD COMPANY for an )  
 order directing that the crossings of )  
 13th Avenue and 14th Avenue in the City )  
 of Oakland with applicant's main line be )  
 abolished by physical closing. )      Application No. 30594

O R D E R

In this proceeding applicant requests permission to abandon a pedestrian grade separation under its tracks at 13th Avenue (Crossing No. 4-8.2-BD) and a grade separation at 14th Avenue (Crossing No. 4-8.3-B) in Oakland, Alameda County. These structures were constructed pursuant to Ordinance No. 2828, of the City of Oakland, dated December 10, 1908.

Applicant alleges: (1) that the pedestrian underpass at 13th Avenue was originally built to provide access to the interurban depot of Southern Pacific Company, and that such interurban service has been discontinued and the crossing is no longer required; (2) that the underpass at 14th Avenue is no longer necessary due to the construction of a new Freeway along the waterfront of Oakland; and (3) that both underpasses are in a poor state of repair.

The City of Oakland, by Ordinance No. 3153 CMS dated August 23, 1949, consents to the closing of said separations.

It appears that this is not a matter in which a public hearing is necessary and that the application should be granted.

IT IS ORDERED that The Western Pacific Railroad Company is authorized to abandon and close the pedestrian underpass at 13th Avenue (Crossing No. 4-8.2-BD), and the underpass at 14th Avenue (Crossing No. 4-8.3-B).

Within thirty days after these separations have been abandoned and effectively closed to public use and travel, applicant shall so advise the Commission in writing. This authorization shall become void if not exercised

within one year from the date hereof unless time be extended.

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

Dated at Los Angeles, California, this 20<sup>th</sup> day of September, 1949.

R. J. Zimmerman  
Julius J. Calver  
Ernest L. Luce  
Harold H. Hill  
Kenneth H. Potter  
 COMMISSIONERS