

ORIGINALDecision No. 54365

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application)
of the City of San Luis Obispo,)
County of San Luis Obispo, State)
of California, for an order author-)
izing the improvement of a cross-)
ing at separate grades of Johnson)
Street and the Southern Pacific)
Company.)

Application No. 35806

Petition of the City of San Luis)
Obispo under Section 1206 of the)
California Public Utilities Code)
for an Order fixing the Just Compen-)
sation, if any, to be paid by the)
City for an easement for a widened)
underpass under the tracks of the)
Southern Pacific Company in said)
City, and for a final Order of)
Condemnation.)

Application No. 37125

Commission investigation into the)
safety, maintenance, operation, use)
and protection of crossings of public)
highways and the lines of the)
Southern Pacific Company in the City)
of San Luis Obispo, County of San)
Luis Obispo.)

Case No. 5755

OPINION AND ORDER

By Decision No. 53850 dated October 1, 1956, the Commission authorized and directed the widening and reconstruction of Johnson Street Underpass as well as the closing and improvement of certain crossings within the City of San Luis Obispo and the vicinity thereof.

By their petitions for modification the Southern Pacific Company and the City of San Luis Obispo are agreed that single track abutments should be built at the Johnson Street Underpass rather than double-track abutments. Exhibit No. 2 in the proceeding sets forth the agreed estimated cost of double-track abutments at \$173,980 and

\$158,780 for single track abutments. The modification requested will be granted.

In addition the Southern Pacific Company takes exception to the Commission's order relating to Orcutt Road, which is located outside the city limits of San Luis Obispo. Southern Pacific Company was ordered at its sole expense to widen said crossing to at least 24 feet and to install two #8 flashing light signals. Southern Pacific Company contends that said costs should be equally apportioned between itself and the County of San Luis Obispo. Upon reconsideration of the record the Commission is of the opinion and finds that that portion of the order should remain unchanged.

As for the informal request, bearing approximately 45 signatures protesting the closing of the Higuera Street crossing and requesting reexamination, from a review of the record the Commission finds that the closing of that crossing is fully supported by the evidence, and that further hearing on that question would serve no useful purpose,

Therefore, good cause appearing,

IT IS ORDERED:

(1) That ordering paragraphs (1) and (2) of Decision No. 53850 dated October 1, 1956, in Applications Nos. 35806, 37125 and Case No. 5755 are hereby amended to read as follows:

"(1) That the City of San Luis Obispo be authorized and it hereby is directed to reconstruct and widen the Johnson Street Underpass (Crossing No. E-251.7-B) as provided in Exhibits Nos. 2 and 3 in this proceeding, except that the abutments shall be for a single and not a double track.

"(2) That in apportioning the cost therefor the Southern Pacific Company shall pay \$120,000, the County of San Luis Obispo shall pay \$3,878 and the City of San Luis Obispo shall pay the balance."

A-35806, 37125,
C-5755 GH*

(2) That in all respects other than as hereinabove granted by modification of Decision No. 53850, each of the petitions for rehearing or modification, as well as the informal request, is hereby denied.

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

Dated at San Francisco, California, this 8th
day of JANUARY, 1957.

[Signature]
President
[Signature]
[Signature]
[Signature]
[Signature]
Commissioners