

**ORIGINAL**Decision No. 68120

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of  
 San Joaquin County, acting through  
 its Board of Supervisors, for  
 permission to construct "Anteros  
 Avenue" at grade across the Southern  
 Pacific Railroad Company, a  
 corporation.

Application No. 45570

ORDER DENYING PETITION FOR MODIFICATION

By Decision No. 67576, dated July 21, 1964, the County of San Joaquin was authorized to construct "Anteros Avenue" at grade across the tracks of the Southern Pacific Railroad Company, on the condition that the Oro Avenue crossing be closed. On August 7, 1964, the Southern Pacific Company filed its Petition for Rehearing limited to the issue of apportionment of maintenance costs of automatic signals. On September 24, 1964, the County of San Joaquin filed a petition to modify Decision No. 67576 by deleting therefrom the condition requiring the closing of the Oro Avenue crossing.

The County of San Joaquin alleges that the closing of the Oro Avenue crossing would create a cul-de-sac on Oro Avenue in the vicinity of an industrial warehouse, which could impair its right of access.

In Decision No. 67576 the Commission found, among other things, that the Oro Avenue crossing, which is located just three blocks east of Anteros Avenue, is not as safe as the Anteros Avenue crossing would be because of the topography and structures in the

vicinity of the Oro Avenue crossing. As a result the Commission authorized the opening of the Anteros Avenue crossing on the condition that the Oro Avenue crossing be closed. With the opening of the Anteros Avenue crossing reasonable access is provided to those property owners located on Oro Avenue.

After consideration the Commission finds that the Petition for Modification should be denied.

IT IS THEREFORE ORDERED that the Petition for Modification filed by the County of San Joaquin is hereby denied.

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

Dated at San Francisco, California, this 27<sup>th</sup> day of OCTOBER, 1964.

Fredrick B. Helms  
President  
W. E. [unclear]  
W. E. [unclear]  
George H. [unclear]  
William B. Bennett  
Commissioners