

Decision No. 68407**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Investigation on the Commission's own motion into the safety, maintenance, operation, use and protection of all public grade crossings of the Southern Pacific Company between and including Crossing No. D-7.6, 5th Avenue, and Crossing No. D-13.7, 105th Avenue, and Crossing No. L-13.6, Edes Avenue, in the City of Oakland, County of Alameda.

Case No. 7886

Application of the City of Oakland, a municipal corporation, for authority for and approval of a public crossing at grade of the tracks of Southern Pacific Company at the extension of Bergedo Drive northeasterly to Moorpark Street.

Application No. 47076

ORDER ON MOTION TO BRING IN A NEW PARTY

On November 17, 1964, the Southern Pacific Company filed a motion requesting that the City of San Leandro be included as a necessary and proper party in Application No. 47076 on the basis that approximately one half of the proposed crossing is within the City of San Leandro and that issues involving title to the land and allocation of costs may arise which will require the presence of the City of San Leandro; and

It appearing that Application No. 47076 has been consolidated with Case No. 7886 for the purpose of including the proposed Bergedo Drive railroad crossing with the other railroad crossings in the vicinity which are being considered in Case No. 7886, and it

further appearing that none of the parties herein, including the City of San Leandro, has any objection to the motion;

IT IS ORDERED that the motion of the Southern Pacific Company to bring the City of San Leandro in as a necessary and proper party is hereby granted and the City of San Leandro is hereby designated as a necessary and proper party in Application No. 47076 and as a respondent with regard to the proposed Bergedo Drive crossing in Case No. 7886.

The effective date of this order shall be the date hereof.

Dated at San Francisco, California, this 30th day of DECEMBER, 1964.

Fredrick B. Halbluff
President
George J. Brown
William B. Bess
Commissioners