

ORIGINAL

Decision No. 70494

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of CITY OF OROVILLE)

for

Abolishment of Spur Track.

Application No. 48048

ORDER OF DISMISSAL

On November 10, 1965, the City of Oroville filed this application seeking an order requiring Southern Pacific Company to abolish a spur track in order to permit the City to construct a public street. On November 24, 1965, Southern Pacific Company filed a motion to dismiss the application, or, in the alternative, to stay all proceedings thereunder until the City commenced a condemnation proceeding with respect to the property involved. On February 21, 1966, the City and Southern Pacific Company filed a stipulation which provided that the application should be dismissed. The stipulation refers to certain matters contained in the motion filed by Southern Pacific Company. The Commission is of the opinion that if the City of Oroville wishes to withdraw its application it should be permitted to do so. However, in entering this order of dismissal the Commission is not passing upon the merits of any points raised in the pleadings.

IT IS ORDERED that Application No. 48048 is hereby dismissed.

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

Dated at San Francisco, California, this 29th day of MARCH, 1966.

Fredrick B. Holdhoff
President

George T. Deaver

Augustan

William L. Bernard
Commissioners