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ORIGINAL

Decision No. 70719

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of the City of San Jose, California, requesting the Public Utilities Commission of the State of California to apportion the costs of certain railroad crossing protective devices at certain railroad crossings of Southern Pacific Company.

Application No. 47083
(Filed November 2, 1964)

ORDER OF DISMISSAL

This is an application by the City of San Jose to have apportioned the cost of maintenance of automatic protection devices at six grade crossings in that City. All cross tracks of the Southern Pacific Company.

The City of San Jose and Southern Pacific Company entered into five agreements covering the installation of protection at the six crossings involved herein. These did not, however, deal with the apportionment of maintenance cost. By a letter dated April 20, 1966, the San Jose City Attorney's office advises that supplemental agreements providing for apportionment of maintenance costs have been executed by city and railroad. The city requests dismissal. Accordingly

IT IS ORDERED that Application No. 47083 is dismissed without prejudice.

Dated at San Francisco, California, this 17th day of MAY, 1966.

Frederick B. Holmquist
President
George F. Hoover
Augusta
William C. Bernard
Commissioners