

**ORIGINAL**

Decision No. 72429

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of the Board of Supervisors of the County of Lassen, State of California, for authorization to construct a public highway across the right of way and track of the Southern Pacific Company.

Application No. 48849  
(Filed October 7, 1966)

Joseph R. Uptegrove, and John D. Mitchell, for Lassen County, applicant.  
Harold S. Lentz, for Southern Pacific Company;  
Melvin R. Dykman, for the State of California, Department of Public Works, interested parties.  
David R. Larrouy, for the Commission staff.

INTERIM ORDER

The County of Lassen requests authority to construct Conservation Center Road at grade across a track of Southern Pacific Company near Leavitt, Lassen County.

A public hearing was held before Examiner Daly at San Francisco and the matter was submitted upon the receipt of concurrent briefs due May 9, 1967.

No evidence was introduced because the issues, which relate to the apportionment of costs, are legal in nature and have been made subject to briefs. Because the need for constructing the crossing is not contested and because of a desire by the County to commence construction as soon as possible an interim order will be issued. The apportionment of costs will be resolved in the final order.

County of Lassen is hereby authorized to construct Conservation Center Road at grade across a track of Southern Pacific Company near Leavitt, Lassen County, at the location described in the application as amended by Exhibit 1 in this proceeding, to be identified as Crossing No. AX-377.7.

Width of crossing shall be not less than forty-four feet and grades of approach not greater than five percent. Construction shall be equal or superior to Standard No. 2 of General Order No. 72. Protection shall be by two Standard No. 8 crossing signals (General Order No. 75-B) supplemented with automatic gate arms.

Upon completion, Crossing No. AX-377.2, about one-half mile southeasterly shall be abandoned and effectively closed. Within thirty days after completion pursuant to this order, applicant shall so advise the Commission in writing. This authorization shall expire if not exercised within one year unless time be extended or if above conditions are not complied with. Authorization may be revoked or modified if public convenience, necessity or safety so require.

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

Dated at San Francisco, California, this 16<sup>th</sup> day of MAY, 1967.

[Signature]  
President

[Signature]

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Commissioners