

HJH

Decision No. 72459

**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of the City of Manteca  
to construct a grade crossing across  
the right of way of the Tidewater  
Southern Railway Company approximately  
one hundred (100) feet westerly of the  
west boundary of Main Street, a city  
street located approximately three  
hundred (300) feet westerly of the  
Tidewater Southern Station.

Application No. 46820  
(Filed July 20, 1964)

ORDER OF DISMISSAL

On February 15, 1966 the Commission issued its order setting aside submission of this matter. A hearing had been held at which a number of complexities were brought to the Commission's attention.

In its order the Commission required applicant City, the two railroads involved and our own staff to review the application and propose modifications in the project with appropriate engineering data. Sixty days was allowed for this.

This time limit has been extended three times, the last of these extensions expired on March 31, 1967. On May 3 the city attorney wrote to the Commission suggesting, in view of the uncertainties still existing, that the application be dismissed without prejudice. When the parties reach agreement a new one can be filed.

A. 46820 HJH

The suggestion of the city attorney appears reasonable and an order will be issued accordingly. Therefore,

IT IS ORDERED that Application No. 46820 be, and it is, dismissed without prejudice.

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

Dated at San Francisco, California, this 23rd day of MAY 1967

Walter J. Mitchell  
President  
William W. Bennett  
Augusta  
William J. ...  
Jack Phonssey  
Commissioners