

**ORIGINAL**

Decision No. 75599

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application )  
of the City of Fremont, Alameda )  
County, California, for a Railroad )  
Grade Crossing Over the Southern )  
Pacific Company's Railroad and The )  
Western Pacific Railroad Company's )  
Railroad in the City of Fremont, )  
Warm Springs District. )

Application No. 49745  
(Filed October 19, 1967)

ORDER OF DISMISSAL

The applicant, City of Fremont, has been unable to reach agreement with Southern Pacific Company and The Western Pacific Railroad Company in the matter of the grade crossing proposed by this application. Applicant has indicated it does not plan to proceed with this matter at this time.

More than 18 months have elapsed since the application was filed. It appears this application should be dismissed without prejudice.

IT IS ORDERED that Application No. 49745 be dismissed without prejudice.

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

Dated at San Francisco, California, this 29<sup>th</sup>  
day of APRIL, 1969.

William Guynn, Jr.  
President

Augustus

Richard P. Morrison  
U. P. RAILROAD

Tobias  
Commissioners