

MS

ORIGINAL

Decision No. 77680

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of the State of California
Department of Public Works for an
order authorizing alteration of exist-
ing West Main Street grade crossing,
across tracks of Southern Pacific Com-
pany's Davis-Tehama Main Line in
Woodland.

Application No. 50941
(Filed March 10, 1969)

David H. Frederickson and Melvin R.
Dykman, for State of California
Department of Public Works, applicant.
Harold S. Lentz, for Southern Pacific
Transportation Company, respondent.
Elmer J. Sjostrom, Counsel, and Leonard F.
Avery, for the Commission staff.

SUPPLEMENTAL OPINION AND ORDER

By Decision No. 75620, an interim order issued ex parte on April 29, 1969 in this proceeding, State of California Department of Public Works (Department) was authorized to reconstruct the crossing of West Main Street at grade with tracks of Southern Pacific Trans-^{1/}portation Company. (Southern Pacific), being Crossing No. AE-85.0, in Woodland, Yolo County. The reconstruction includes upgrading of the crossing protection by replacement of the two existing Standard No. 3 wigwag signals with one cantilever flashing light signal with an automatic gate arm, on the west side of the track, and one automatic gate arm with flashing light signals, on the east side of the track.

Said Decision No. 75620 stated that the parties were not in agreement as to sharing or apportionment of the maintenance costs

1/ The former Southern Pacific Company was merged into Southern Pacific Transportation Company on November 26, 1969 and has ceased to exist.

of the altered and improved grade crossing protection and had agreed that said costs should be apportioned by further order of the Commission, after hearing, pursuant to the provisions of Section 1202.2 of the Public Utilities Code.

Public hearing on the issue of apportionment of maintenance costs was held before Examiner Bishop on February 3 and March 10, 1970 at Woodland and San Francisco, respectively. Evidence was adduced through the public projects engineer-signal of Southern Pacific. He testified for the railroad and was called as a witness by the Department under the provisions of Section 776 of the Evidence Code. At the close of the adjourned hearing the filing of briefs was directed and May 4, 1970, the due date for the reply briefs, was designated as the submission date of the proceeding.

By letters dated April 9 and 22, 1970 the Department and Southern Pacific, respectively advised the Commission that they were agreeable to a stipulation to the following effect: The entire maintenance cost of the automatic grade crossing protection, based on the total number of maintenance units associated therewith, the same as ordered by the Commission in Decisions Nos. 75676 and 76923,^{2/} shall be apportioned 50 percent to the railroad and 50 percent to the Department, in accordance with the provisions of Section 1202.2 of the Public Utilities Code.

By letter dated April 29, 1970 the Commission advised the parties that, in view of the foregoing stipulation, the filing of briefs in the matter would not be necessary.

IT IS ORDERED that maintenance costs of the improved grade crossing protection authorized by Decision No. 75620 at Crossing

^{2/} In Applications Nos. 50124 (the "Alton decision") and 51038 (the "Carbon Canyon" decision), respectively.

A. 50941 ms

No. AE-85.0 in Woodland shall be apportioned 50 percent to Southern Pacific Transportation Company and 50 percent to State of California Department of Public Works, in accordance with, and subject to the terms of, the stipulation of the parties hereinbefore set forth; and further in accordance with the provisions of Section 1202.2 of the Public Utilities Code.

This order shall become effective twenty days after the date hereof.

Dated at San Francisco, California, this 1st
day of SEPTEMBER, 1970.

J. P. [Signature]
Chairman
[Signature]
William [Signature]
[Signature]
Vernon L. Sturgeon
Commissioners