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ORIGINAL

Decision No. 77713

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

CITY OF SAN CARLOS, a municipal
corporation,

Complainant,

vs.

SOUTHERN PACIFIC COMPANY, a
corporation,

Defendant.

Case No. 8697

Investigation on the Commission's
own motion into the Rates, Charges,
Rules, Operations, Practices,
Contracts, Leases, Service and
Facilities of all the vehicular
parking areas adjacent to railroad
stations between San Francisco and
San Jose, California, owned or
controlled by Southern Pacific
Company.

Case No. 8700

CITY OF SAN MATEO, a municipal
corporation,

Complainant,

vs.

SOUTHERN PACIFIC COMPANY, a
corporation,

Defendant.

Case No. 8702

CITY OF MENLO PARK, a municipal
corporation,

Complainant,

vs.

SOUTHERN PACIFIC COMPANY, a
corporation,

Defendant.

Case No. 8703

C. 8697, et al. hjh

CITY OF SUNNYVALE, a municipal
corporation,

Complainant,

vs.

SOUTHERN PACIFIC COMPANY, a
corporation,

Defendant.

Case No. 8704

CITY OF BURLINGAME, a municipal
corporation,

Complainant,

vs.

SOUTHERN PACIFIC COMPANY, a
corporation,

Defendant.

Case No. 8706

CITY OF BELMONT, a municipal
corporation,

Complainant,

vs.

SOUTHERN PACIFIC COMPANY, a
corporation,

Defendant.

Case No. 8707

CITY OF MOUNTAIN VIEW, a municipal
corporation,

Complainant,

vs.

SOUTHERN PACIFIC COMPANY, a
corporation, and Park-UR-Self
System, Inc., a corporation,

Defendants.

Case No. 8708

C. 8697, et al. hjh

CITY OF REDWOOD CITY, A municipal
corporation,

Complainant,

vs.

SOUTHERN PACIFIC COMPANY, a
corporation,

Defendant.

Case No. 8712

CITY OF PALO ALTO, a municipal
corporation,

Complainant,

vs.

SOUTHERN PACIFIC COMPANY, a
corporation,

Defendant.

Case No. 8715

CITY OF SANTA CLARA, a municipal
corporation,

Complainant,

vs.

SOUTHERN PACIFIC COMPANY, a
corporation,

Defendant.

Case No. 8718

CITY OF MILLBRAE, a municipal
corporation,

Complainant,

vs.

SOUTHERN PACIFIC COMPANY, a
corporation,

Defendant.

Case No. 8729

ORDER VACATING ORDER GRANTING REHEARING

Rehearing of Decision No. 75981 dated July 29, 1969, in the above listed cases, was granted by Decision No. 76523 dated December 9, 1969. Said Decision No. 76523 provides that the rehearing is "limited to consideration of additional evidence the parties may produce as to what portion, if any, of the ad valorem taxes claimed is directly attributable to the parking lot operations".

By letter dated July 31, 1970, Southern Pacific Transportation Company, the petitioner for rehearing, informed the Commission that it has initiated a comprehensive review of all phases of the operation of its peninsula parking lots; that it is anticipated the review will not be completed for at least six months; that when said review is completed, it will most likely seek an adjustment in parking rates based on all relevant rate base considerations, with the ad valorem taxes being but one phase of the matter; and that for this reason, it has refrained from requesting a hearing date for the rehearing granted by Decision No. 76523. Petitioner requests that the rehearing be held in abeyance until the new application is filed and that it be consolidated therewith or, alternatively, that the order granting rehearing be vacated under the express condition that Southern Pacific shall not be precluded from introducing evidence and argument in a future application proceeding as to the reasonableness of including ad valorem taxes in the rate base for the peninsula parking lot operation.

Upon review, we find that the alternative method of handling the order granting rehearing suggested by Southern Pacific is appropriate, and we conclude that said order should be vacated and set aside without prejudice to raising the issue of ad valorem taxes in any future application filed by Southern Pacific for an adjustment of the rates for parking service at its peninsula lots.

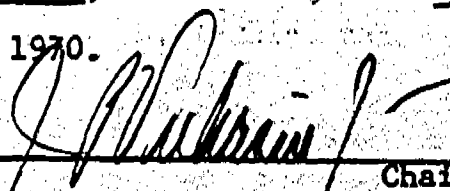
IT IS ORDERED that:

1. Decision No. 76523 which granted rehearing of the ad valorem tax issue in Decision No. 75981 is hereby vacated and set aside, and the petition for said rehearing filed by Southern Pacific Company (the predecessor in interest to the Southern Pacific Transportation Company) on September 12, 1969, is hereby dismissed, without prejudice to the raising of said ad valorem tax issue by Southern Pacific Transportation Company in any future application filed by it for an adjustment of the rates for parking service at its peninsula lots.

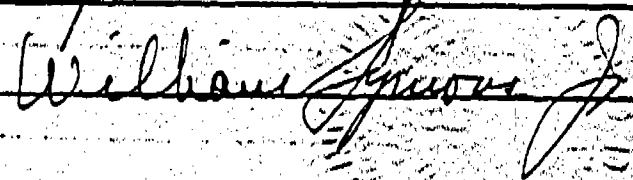
2. Decision No. 75981 shall remain in full force and effect.

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


Dated at Los Angeles, California, this 15th day of SEPTEMBER, 1970.



Chairman



Commissioner



Commissioners

Commissioner A. W. Gatov, being necessarily absent, did not participate in the disposition of this proceeding.

Commissioner Thomas Moran, being necessarily absent, did not participate in the disposition of this proceeding.