

ORIGINAL

Decision No. 79681

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Investigation for the purpose of establishing a list for the year 1972 of railroad grade crossings of the city streets or county roads most urgently in need of separation, or existing separations in need of alteration or reconstruction as contemplated by Section 189 of the Streets and Highways Code.

Case No. 9257

ORDER MODIFYING DECISION NO. 79466
AND DENYING REHEARING.

The Southern Pacific Transportation Company, having filed a petition for rehearing of Decision No. 79466, the Commission having considered each and every allegation therein, and being of the opinion that Decision No. 79466 should be modified and being also of the opinion that good cause for a rehearing has not been made to appear;

IT IS ORDERED that Decision No. 79466 is modified by inserting the following paragraphs after the second complete paragraph set forth on page five of the mimeographed opinion:

"Finally, Southern Pacific Transportation Company raised the issue as to whether Canal Boulevard should be included in the priority list of crossings most urgently in need of separation, alteration, or reconstruction.

"Evidence was presented to the effect that too few people rely upon the separation in question to warrant its being placed on the priority list at all.

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"However, the County of San Joaquin was clearly desirous of having this separation maintained. There was evidence that growth in the area would increase, thereby creating more need for the separation than presently exists. Considering also the Commission staff's analysis of all the tangible and intangible factors as previously discussed, as well as the possible alternatives of either repairing and widening, or closing the separation, it is concluded that Canal Boulevard qualifies as a crossing most urgently in need of alteration and reconstruction as contemplated by Section 189 of the Streets and Highways Code."

IT IS FURTHER ORDERED that rehearing of Decision No. 79466, as modified, is hereby denied.

Dated at San Diego, California, this 8th day of FEBRUARY, 1972.

William J. Quinn Chairman
[Signature]
Vernon L. Stinger
[Signature] Commissioners

Commissioner J. P. Vukasin, Jr., being necessarily absent, did not participate in the disposition of this proceeding.