

Decision No. 81333

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of Application of)
San Joaquin County, acting through)
its Board of Supervisors, for per-)
mission to construct Corral Hollow)
Road at grade across the Southern)
Pacific Transportation Company, a)
corporation.)

Application No. 53381

SUPPLEMENTAL OPINION AND ORDER

By Decision No. 80296 dated July 25, 1972, the county of San Joaquin was authorized to reconstruct Corral Hollow Road at grade across tracks of the Southern Pacific Transportation Company near Tracy. On August 3, 1972, Southern Pacific Transportation Company filed a request for rehearing or modification of the order. It requested that the following provision be added to the order:

"In the event federal funds are used for this project, apportionment of cost to the railroad shall be the amount called for by applicable federal law and regulations, and provisions of this decision apportioning costs to the railroad shall not be applicable to the extent that apportionment of such costs is the subject of federal law and regulations."

On September 12, 1972, the county of San Joaquin executed an easement agreement substantially in accordance with the recommended provision.

Therefore, IT IS ORDERED that Decision No. 80296 is amended by adding thereto the following provision:

"In the event federal funds are used for this project, apportionment of cost to the railroad shall be the amount called for by applicable federal law and regulations, and provisions of the decision apportioning cost to the railroad should not be applicable to the extent that apportionment of such cost is the subject of federal law and regulations."

The effective date of this order is the date hereof.

Dated at San Francisco, California, this 12th day of MAY, 1973.

Vermon L. Stenger
 President

William J. ...

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 Commissioners