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Decision No. 83154

**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Commission investigation to establish procedure for making allocations to local agencies under the "Crossing Protection Maintenance Fund" provided for in Public Utilities Code Section 1231.1, and to determine methods for ascertaining maintenance costs of automatic crossing protection.

Case No. 8249

ORDER DENYING REHEARING

Southern Pacific Transportation Company having filed a petition for rehearing or modification of Decision No. 82823, and the Commission having considered each and every allegation therein, and being of the opinion that good cause for rehearing or modification of Decision No. 82823 has not been shown;

IT IS ORDERED that rehearing of Decision No. 82823 is denied.

Dated at San Francisco, California, this 16<sup>th</sup> day of July, 1974.

*Simon L. Stinson*  
President

*William L. Stinson Jr.*

*[Signature]*

*[Signature]*  
Commissioners

*I dissent*

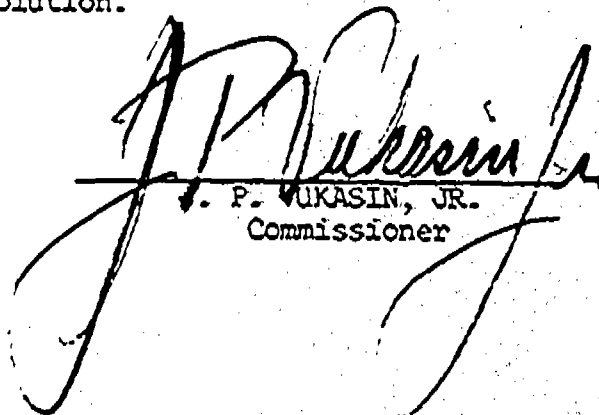
*[Signature], Commissioner*

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COMMISSIONER J. P. VUKASIN, JR., Dissenting.

I dissent.

I would grant rehearing. The Commission in continuing the \$30.00 per unit cost is relying on 1965 cost evidence adopted in Decision No. 72225, Case No. 8249. In this inflationary era the Commission can take official notice of the fact that costs have escalated substantially in the past nine years. This situation should be remedied and denial of the petition for rehearing cannot lead to a reasonable solution.



J. P. VUKASIN, JR.  
Commissioner

San Francisco, California

July 16, 1974