

Decision No. 83782**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of the CITY OF LIVERMORE  
for an order authorizing construction  
of crossings at separated grades  
between North P Street and North  
Livermore Avenue and the tracks of the  
Southern Pacific Transportation Com-  
pany and the Western Pacific Railroad  
Company; for the elimination of two  
railroad grade crossings; and for the  
relocation or modification of three  
railroad grade crossings.

Application No. 53846  
(Filed Feb. 16, 1973)

ORDER DENYING REHEARING  
OR MODIFICATION AND  
DENYING MOTION TO DISMISS

Mr. Robert S. Allen (Allen) and the American Taxpayers Union, Local 115 (ATU), filed an application and petition for modification of Decision No. 83417 on September 23, 1974. Southern Pacific Transportation Company (SP) moved to dismiss such petition on November 6, 1974, and Allen opposed that motion by a filing dated November 26, 1974. The Commission believes that the petition for modification is more appropriately treated as a petition for rehearing of Decision No. 83417.

The Commission has reviewed each and every allegation of the petition for rehearing and is of the opinion that no good cause for rehearing has been shown. The Commission has also reviewed S.P.'s motion and is of the opinion that it should be denied.

THEREFORE IT IS ORDERED that rehearing or modification of Decision No. 83417 is hereby denied.

A.53846

IT IS FURTHER ORDERED that S.P.'s motion, filed herein on November 6, 1974, is hereby denied.

The effective date of this order is the date hereof.

Dated at San Francisco, California, this 12th day of DECEMBER, 1974.

Vernon L. Sturgeon  
President

William J. Lyons

Robert E. McFarland

Robert E. McFarland  
Commissioners

Commissioner THOMAS MORAN

Present but not participating.