

KB

Decision No. 84877

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the Application of
the City of Oxnard for an Allocation
from the Crossing Protection Fund to
assist in paying its share of the cost
of constructing pedestrian signals at
crossing CPUC No. 45-2.14. D Gary
Drive, City of Oxnard

Resolution
No. CP-2239

ORDER GRANTING REHEARING

On July 7, 1975 the Department of Transportation, State of California, filed a petition for rehearing of Resolution No. CP-2239.

Good cause appearing therefor,

IT IS ORDERED THAT:

Rehearing of Resolution No. CP-2239 is hereby granted, such rehearing to be held before such Commissioner or Examiner and at such time and place as will be hereafter designated.

The Secretary is directed to cause notice of the rehearing granted herein to be mailed at least ten days before such rehearing.

The effective date of this order is the date hereof.

Dated at San Francisco, California, this 3rd day of SEPTEMBER, 1975.

I dissent
Robert Attil Commissioner

William J. Lyons President
Vernon J. Sturgeon
[Signature]
Commissioners

D. 84877
Res. No. CP 2239

COMMISSIONER BATINOVICH, DISSENTING.

I dissent from the Commission's order granting a hearing to the State Department of Transportation for the purpose of determining whether a particular crossing protection "has a beneficial effect on motor vehicle traffic."

I am disappointed that another state agency could be so nonchalant about the costs to the taxpayers resulting from setting this matter for public hearing. The amount at stake - \$1,432.79 - simply does not support the Department's action. I do not mean to deprive any entity of due process. I do believe that the Department and this Commission's staff ought to be able to resolve these matters informally and that the expensive hearing process should not be resorted to without some issue of genuine public interest.



Robert Batinovich, Commissioner

Dated: September 3, 1975

San Francisco, California