

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the application of)
The County of Riverside to construct)
County Road across the Right of Way)
of the Union Pacific Railroad at)
Clay Street in the Pedley area. }

ORIGINAL

Application 60923
(Filed September 21, 1981)

ORDER OF DISMISSAL

The County of Riverside (County) has requested authority to construct Clay Street at grade across Union Pacific Railroad Company's (UP) tracks in the Pedley area of Riverside County.

By protest filed November 5, 1981, Union Pacific Railroad Company set forth its objections to granting of the authority requested in Application 60923 and requested that the matter be set for public hearing. Although it would appear that there have been negotiations between County and UP, the protest has not been withdrawn.

By letter of July 5, 1983, the Commission staff (staff) advised County that, if an agreement between the parties could not be reached shortly, County should either request that the matter be set for public hearing or withdraw the application. By letter of July 20, 1983, County indicated that it was still of the opinion that an agreement could be reached with UP shortly.

By letter of January 3, 1984, staff advised County that, since two years had passed without its reaching agreement with UP, the application should be withdrawn and refiled at such time as the parties had reached agreement or, in the alternative, staff would recommend to the Commission that Application 60923 be dismissed.

County, by letter of January 10, 1984, replied that it had been waiting for several months for an agreement to be prepared by UP. By letter of January 19, 1984 to staff, UP stated that it expected to receive management approval for the project within 30 to 45 days.

Having heard nothing further from either party, staff advised County by letter of March 14, 1984, of its intention to recommend to the Commission that Application 60923 be dismissed. County has not responded to staff's March 14, 1984 letter. A public hearing is not necessary.

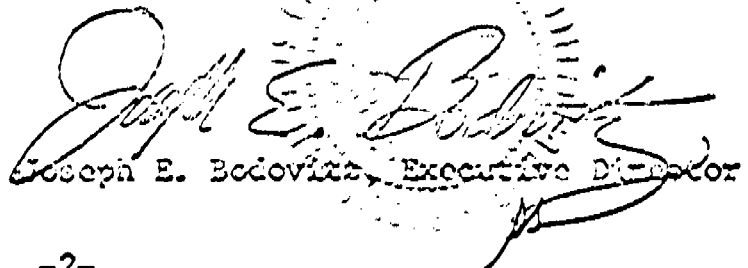
IT IS ORDERED that Application 60923 is dismissed without prejudice.

This order becomes effective 30 days from today.

Dated III 5 1984, at San Francisco, California.

LEONARD M. GRIMES, JR.
President
VICTOR CALVO
PRISCILLA C. CREW
DONALD VEAL
WILLIAM T. BAGLEY
Commissioners

I CERTIFY THAT THIS DECISION
WAS APPROVED BY THE ABOVE
COMMISSIONERS TODAY.


Joseph E. Bodovitz, Executive Director