

Decision No. 90 10 042 OCT 12 1990

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Investigation on the Commission's own )  
 notion into the abandonment and/or )  
 discontinuance of intermodal railroad )  
 service to spur track located at )  
 Blythe, California, by THE ATCHISON, )  
 TOPEKA AND SANTA FE RAILWAY COMPANY )  
 and Order to Show Cause. )

I.89-11-002  
 (Filed November 3, 1989)

ORDER MODIFYING DECISION AND DENYING REHEARING

The Atchison, Topeka, and Santa Fe Railway Company (Santa Fe) has applied for rehearing of D.90-07-031. The Commission has considered each and every allegation of said application and is of the opinion that no grounds for rehearing are set forth. However, the Commission wishes to clarify a potential ambiguity in our order. The Commission recognizes it has no jurisdiction over Santa Fe's branch line operations near Blythe and that Santa Fe apparently has discontinued intermodal service over that branch line. Our order is intended to require Santa Fe to maintain operation at the spur team-track near Blythe at the same level as on its connecting branch line, whether intermodal or otherwise. Accordingly, the Commission believes its order to be appropriate and within its jurisdiction. The Commission further expects its General Counsel to take the appropriate action before the Interstate Commerce Commission to seek restoration of intermodal service by Santa Fe on its branch line near Blythe. If such intermodal service is restored on the branch line, we believe that our jurisdiction to require the provision of intermodal service on the spur team-track is

clear. In the interim, our further order requiring maintenance by Santa Fe of the intermodal facilities at the spur team-track near Blythe is appropriate.

Additionally, Conclusion of Law 1. in D.90-07-031 should be modified to refer to Section 560, rather than 561 of the Public utilities Code. Therefore,

IT IS ORDERED that the Code Section reference in Conclusion of Law 1. of D.90-07-031 is modified to cite Section 560, rather than Section 561 of the Public Utilities Code.

IT IS FURTHER ORDERED that rehearing of D.90-07-031, as modified, is denied.

This order is effective today,

Dated OCT 12 1990, at San Francisco, California.

G. MITCHELL WILK  
President  
FREDERICK R. DUDA  
STANLEY W. HULETT  
JOHN B. OHANIAN  
PATRICIA M. ECKERT  
Commissioners

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

*Neal J. Sulman*  
NEAL J. SULMAN, Executive Director