

Decision No. 86620

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of the County of San Luis Obispo for an order authorizing the construction of a grade separation, to be known as the Salinas River Bridge and Overhead, over the tracks of the Southern Pacific Transportation Company, in connection with the construction of a new Salinas River Bridge and approaches on Templeton Road, F.A.S. 1208, near the Town of Templeton, in the County of San Luis Obispo.

Application No. 55167

SUPPLEMENTAL ORDER

By Decision 84058, dated February 11, 1976, the County of San Luis Obispo was authorized to construct Vinyard Drive at separated grades over the tracks of the Southern Pacific Transportation Company near the Town of Templeton in San Luis Obispo County, to be identified as Crossing E-222.2-A. Among other things, Decision 84058 ordered that the existing timber grade separation of Eighth Street, Crossing E-222.0-A, shall be abandoned and removed upon completion and opening to traffic of the new separation.

On September 7, 1976, San Luis Obispo County Waterworks District 5 filed Application 56733 which requested that the above-noted existing timber grade separation of Eighth Street, Crossing E-222.0-A, be converted to a private crossing rather than being abandoned and removed upon completion of the new separation. Application for the private crossing was made pursuant to the provisions of Section 7537 of the Public Utilities Code on the basis that the Water District's well site property would become landlocked upon removal of the existing timber separation structure. It was further noted that the District's water main is attached to the timber separation structure and removal of the structure would, therefore, disrupt water service to the Town of Templeton.

By its letter of September 27, 1976 to the Southern Pacific Transportation Company, the County of San Luis Obispo indicated that negotiations were currently in progress to resolve the issues of access to the Water District's well site and the manner in which the District's water main should be relocated across the railroad's tracks. Since completion of the new separation is imminent, additional time should be provided to resolve these issues by negotiation or by further order of the Commission.

IT IS ORDERED that Decision 84058 be modified as follows:
Ordering Paragraph 6 which reads:

"6. Upon completion of said separation construction and opening to traffic, the existing timber grade separation of Eighth Street, Crossing No. E-222.0-A, located 1,200 feet to the north, shall be abandoned and removed by the county."

Shall be changed to read:

6. Upon completion of said separation construction and opening to traffic, the existing timber grade separation of Eighth Street, Crossing E-222.0-A, located 1,200 feet to the north, shall be closed to public use.

IT IS FURTHER ORDERED that:

2. For a period not to extend beyond December 31, 1977, the San Luis Obispo County Waterworks District 5 may continue use of the existing timber grade separation of Eighth Street, Crossing E-222.0-A, for access to its well site property and for support of its water main.


9. Upon satisfactory resolution of the issues concerning access to the Water District's well site and relocation of its water main, but not later than December 31, 1977, the County of San Luis Obispo shall physically close and remove the existing timber grade separation at Eighth Street, Crossing E-222.0-A.

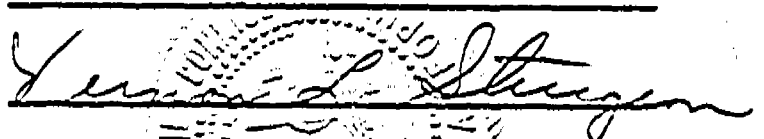
In all other respects, Decision 84053 shall remain in full force and effect.

The effective date of this order is the date hereof.

Dated at San Francisco, California, this 9th day of NOVEMBER, 1976.

*I dissent as to the effective date being the date hereof.
William Lyons Jr.*


President


Commissioner


Commissioners

Commissioner Leonard Ross, being necessarily absent, did not participate in the disposition of this proceeding.