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MAR 4 1980

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BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Investigation into the status, safety,)
 maintenance, operation, use, protection)
 and closing of the following crossings)
 at grade with the "D" Line of the)
 Southern Pacific Transportation Company)
 in the City of Lodi: Crossing No.)
 D-102.9, Tokay Street; Crossing No.)
 D-103.1, Lodi Avenue; Crossing No.)
 D-103.2, Walnut Avenue; Crossing No.)
 D-103.25, Oak Street; Crossing No.)
 D-103.3, Pine Street; Crossing No.)
 D-103.4, Elm Street; Crossing No.)
 D-103.5, Locust Street; Crossing No.)
 D-103.6, Lockford Street.)

O.I.I. No. 2

ORDER MODIFYING DECISION AND DENYING REHEARING

A petition for rehearing of Decision No. 91048 has been filed by Southern Pacific Transportation Company. The City of Lodi filed a response in opposition to the granting of a rehearing.

The Commission has considered each and every allegation contained in said pleadings and is of the opinion that Decision No. 91048 should be modified to provide findings of fact and conclusions of law with respect to its order respecting the Locust Street (D-103.5) and Elm Street (D-103.4) crossings in the City of Lodi.

IT IS ORDERED that finding of fact No. 4 on page 19 of Decision No. 91048 is modified to read as follows:

4. The evidence establishes that the closing of the Oak Street crossing and the Walnut Street crossing over the Southern Pacific Railroad tracks in the City of Lodi, California, will significantly reduce vehicle-train accidents in Lodi. The record shows that the Elm Street and Locust Street crossings carry much more traffic than do Oak and Walnut Streets. The closing of Elm and Locust Streets would tend to divide Lodi into two separate social and economic units and would unduly inconvenience the citizens of Lodi, particularly the elderly. The construction of Standard No. 9-A automatic gates at the Elm and Locust crossings will adequately protect the traveling public at such crossings.

IT IS FUTHER ORDERED that the conclusion of law set forth on page 20 of Decision No. 91048 be modified to read as follows:

On the basis of the foregoing findings we conclude the public interest requires the closing of the Oak Street (D-103.25) and Walnut Street (D-103.2) crossings over the Southern Pacific Railroad tracks in the City of Lodi. We further conclude that the public interest requires that the Tokay Street crossing (D-102.9), the Lodi Avenue crossing (D-103.1), the Pine Street crossing (D-103.3), the Elm Street crossing (D-103.4) and the Locust Street crossing (D-103.5) remain open, but with upgraded crossing protection as is set forth in the order which follows.

IT IS FURTHER ORDERED that the petition for rehearing of Decision No. 91048, filed herein by Southern Pacific Transportation Company, as modified, is otherwise denied.

The effective date of this order is the date hereof.

Dated at San Francisco, California this 4TH day of MARCH, 1980.

Allen E. Brown
President

James L. Sturgeon

Michael D. Kivick

Donald W. Jensen
Commissioners

Commissioner Claire T. Dedrick, being necessarily absent, did not participate in the disposition of this proceeding.