

ORIGINAL

Decision 93661 OCT 20 1981

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

County of Los Angeles,)
 State of California,)
)
 Complainants,)
)
 v)
)
 Southern Pacific Transportation)
 Company, a corporation,)
)
 Defendant.)

Case 10575

ORDER EXTENDING TIME

In Decision (D.) 91847, as modified by D.92862 and D.92863, we directed that, within 180 days after the effective date of D.91847, Southern Pacific Transportation Company (SP) and the California Department of Transportation (Caltrans) shall negotiate and submit to this Commission for its approval an agreement relating to the equipment and facilities to be used in providing the rail commuter service between Los Angeles and Oxnard ordered in D.91847. The time for compliance with this requirement (Ordering Paragraph 5 of D.91847) expired October 8, 1981.

By letter dated October 6, 1981 Caltrans seeks, under Rule 43 of the Commission's Rules of Practice and Procedure, an extension of time to comply with Ordering Paragraph 5 of D.91847.

Caltrans points out that compliance with Ordering Paragraphs 2 and 7 of D.92863 (which modified original Ordering Paragraphs 2 and 7 of D.91847) has been stayed indefinitely (D.93187) pending a request for review of those decisions by the California Supreme Court (SF 24220 and SF 24316).

Caltrans states that the reason for the extension is that SP and Caltrans have not yet commenced "substantive" negotiations for the subsidy contract although preliminary discussions have occurred and will occur in the future.

Caltrans' letter further states that SP concurs in the request for an extension of time. The letter was served on all parties to the proceeding. No response has been received by the Commission.

In the circumstances, we find that the requested extension of time to comply with Ordering Paragraph 5 of D.91847 is reasonable. We conclude that the request should be granted. As the original compliance date has passed, this order should be made effective immediately.

IT IS ORDERED that the time for compliance with Ordering Paragraph 5 of Decision 91847 is extended to January 31, 1982.

This order is effective today.

Dated OCT 20 1981, at San Francisco, California.

JOHN E. BRYSON
President
RICHARD D. GRAVELLE
LEONARD M. GRIMES, JR.
VICTOR CALVO
PRISCILLA C. CREW
Commissioners

I certify that this decision was approved by the above Commissioners today.

