



FILED

05/07/26

04:59 PM

C2605016

**BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF CALIFORNIA**

Abraham Gonzalez

Complainant,

vs.

San Joaquin Valley Railroad Company AND
Genesee & Wyoming Railroad Services Inc.

Defendant.

Case (C.) _____

COMPLAINANT	DEFENDANT
Abraham Gonzalez Attention: Shae Hatanaka 1305 W. Belmont Avenue Mendota, CA 93640 T1: 559-355-6779 T2: 559-382-5115 Email 1: shaehatanaka@gmail.com Email 2: delta.sand.gravel@outlook.com	San Joaquin Railroad Company Attention: Lisa Gasser, Vice President 1855 West Baseline Road, Suite 200 Mesa, AZ 85202 T: 1-800-757-7387 AND Genesee & Wyoming Railroad Services Inc. Attn: Allison Fergus, General Counsel & Secretary 20 West Street Darien, CT 06820 T: 203-202-8900

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

(A) Abraham Gonzalez

COMPLAINANT(S)

vs.

(B) San Joaquin Valley Railroad Company
and
Genesee & Wyoming Railroad Services Inc.

DEFENDANT(S)

(Include Utility "U-Number," if known)

(for Commission use only)

(C)
Have you tried to resolve this matter informally with
the Commission's Consumer Affairs staff?

YES NO

Has staff responded to your complaint?

YES NO

Did you appeal to the Consumer Affairs Manager?

YES NO

Do you have money on deposit with the
Commission?

YES NO

Amount \$ _____

Is your service now disconnected?

YES NO

COMPLAINT

(D)
The complaint of (Provide name, address and phone number for each complainant)

Name of Complainant(s)	Address	Daytime Phone Number
Abraham Gonzalez	PO Box 178, Mendota CA 93640	559-382-5115

respectfully shows that:

(E)
Defendant(s) (Provide name, address and phone number for each defendant)

Name of Defendant(s)	Address	Daytime Phone Number
San Joaquin Valley Railroad Compar	1855 West Baseline Road # 200, Mesa, AZ 85202	1-800-757-7387
Genesee & Wyoming Railroad Svcs I	20 West Street, Darien, CT 06820	203-202-8900

(5) The proposed schedule for resolving the complaint within 12 months (if categorized as adjudicatory) or 18 months (if categorized as ratesetting) is as follows:

Prehearing Conference: Approximately 30 to 40 days from the date of filing of the Complaint.

Hearing: Approximately 50 to 70 days from the date of filing of the Complaint.

Prehearing Conference (Example: 6/1/09): 7/8/2026

Hearing (Example: 7/1/09): 7/11/2026

Explain here if you propose a schedule different from the above guidelines.

(H)

Wherefore, complainant(s) request(s) an order: State clearly the exact relief desired. (Attach additional pages if necessary)

SEE ATTACHED DOCUMENT

(I)

OPTIONAL: I/we would like to receive the answer and other filings of the defendant(s) and information and notices from the Commission by electronic mail (e-mail). My/our e-mail address(es) is/are:

delta.sand.gravel@outlook.com

(J)

Dated Mendota, California, this 7th day of May, 2026
(City) (date) (nth) (year)



Signature of each complainant

(MUST ALSO SIGN VERIFICATION AND PRIVACY NOTICE)

(K)

(F)

Explain fully and clearly the details of your complaint. (Attach additional pages if necessary and any supporting documentation)

See attached document

(G) Scoping Memo Information (Rule 4.2[a])

(1) The proposed category for the Complaint is (check one):

- adjudicatory (most complaints are adjudicatory unless they challenge the reasonableness of rates)
- ratesetting (check this box if your complaint challenges the reasonableness of rates pursuant to Rule 4.1(b))

(2) Are hearings needed (are there facts in dispute)? YES NO

(3) Regular Complaint Expedited Complaint (Rule 4.6)

(4) The issues to be considered are

(Example: The utility should refund the overbilled amount of \$78.00):

See attached document

F. BACKGROUND

Abraham Gonzalez (Complainant) is a citizen and resident of Fresno County, California and is the fee owner of land whose southwestern border is the MAIN CANAL and Northwestern border is a railroad right of way operated by San Joaquin Valley Railroad. SJVR is a short line within the Genessee & Wyoming family of railroads. Complainant's parcels of land are described as follows:

Parcel A: 9830 N. Dos Palos Road, Firebaugh, CA 93622 - APN 007-030-01

Parcel B: 9939 N. Dos Palos Road, Firebaugh, CA 93622 - APN 007-030-01

whereby SJVR's right of way effectively landlocks complainant's land giving him no reasonable access to his properties. California Public Utility Code 7537 addresses farm and private crossings. Specifically, it states landowners are entitled to a private crossing if it is "reasonably necessary or convenient for ingress to or egress from lands, or in order to connect such lands with other adjacent lands of the owner." It also states, "the owner or operator of the railroad shall construct and at all times maintain such farm or private crossing in a good, safe, and passable condition," and the California Public Utilities Commission has the authority "to determine the necessity for any crossing and the place, manner, and conditions under which the crossing shall be constructed and maintained" and "fix and assess the cost and expense thereof"

On January 23, 2026, a completed grade crossing application was mailed to Genessee & Wyoming. After multiple calls placed to follow up on the application, (March 10, 2026, April 16, 2026, April 24, 2026) complainant finally received a call from Rick Fowler of Genessee & Wyoming. He informed complainant that SJVR was not interested in processing any grade crossing application for him and to "not go there." Mr. Fowler was asked and agreed to give SJVR a return call and get more information for the denial but no attempt at return call or correspondence has been received. On April 29, complainant reached out to Mr. Pablo Vargas from the CPUC and he informed complainant of the option to file a formal complaint referencing Public Utilities Code section 7537.

G. RELEVANT ISSUES

Complainant identifies the following relevant issues

- a. Whether a private crossing is either reasonably necessary or convenient for ingress to or egress from complainant's parcels A & B
- b. Whether SJVR has a statutory duty to construct and maintain a private crossing over the right of way to complainant's parcels A & B pursuant to PUC 7537.

H. DESIRED RELIEF

- a. An order declaring that SJVR has an affirmative statutory duty pursuant to PUC 7537 to construct a private crossing over its right of way to complainant's parcels A & B.
- b. An order affirming the necessity of a private crossing to complainant's parcels A & B.
- c. An order determining the place, manner, and condition under which SJVR shall construct and maintain the crossing, and the cost and expense thereof.
- d. An order directing SJVR to construct and maintain a private crossing at a reasonably convenient location to access complainant's parcels A & B at no cost to the complainant.

Respectfully submitted

Abraham Gonzalez

PO Box 178

Mendota, CA 93622

559-382- 5115

Delta.sand.gravel@outlook.com

REPRESENTATIVE'S INFORMATION:

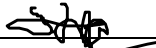
Provide name, address, telephone number, e-mail address (if consents to notifications by e-mail), and signature of representative, if any.

Name of Representative: Shae Hatanaka

Address: 9722 N. Dos Palos Road

Telephone Number: 559-355-6779

E-mail: shaehatanaka@gmail.com

Signature: 

VERIFICATION
(For Individual or Partnerships)

I am (one of) the complainant(s) in the above-entitled matter; the statements in the foregoing document are true of my knowledge, except as to matters which are therein stated on information and belief, and as to those matters, I believe them to be true.

I declare under penalty of perjury that the foregoing is true and correct.

(L)
Executed on 5/7/2026, at Mendota, California
(date) (City)



(Complainant Signature)

VERIFICATION
(For a Corporation)

I am an officer of the complaining corporation herein, and am authorized to make this verification on its behalf. The statements in the foregoing document are true of my own knowledge, except as to the matters which are therein stated on information and belief, and as to those matters, I believe them to be true.

I declare under penalty of perjury that the foregoing is true and correct.

(M)
Executed on _____, at _____, California
(date) (City)

Signature of Officer

Title

(N) NUMBER OF COPIES NEEDED FOR FILING:

If you are filing your formal complaint on paper, then submit one (1) original, six (6) copies, plus one (1) copy for each named defendant. For example, if your formal complaint has one (1) defendant, then you must submit a total of eight (8) copies.

If you are filing your formal complaint electronically (visit <http://www.cpuc.ca.gov/PUC/efiling> for additional details), then you are not required to mail paper copies.

(O) Mail paper copies to: California Public Utilities Commission
Attn: Docket Office
505 Van Ness Avenue, Room 2001
San Francisco, CA 94102

PRIVACY NOTICE

This message is to inform you that the Docket Office of the California Public Utilities Commission (“CPUC”) intends to file the above-referenced Formal Complaint electronically instead of in paper form as it was submitted.

Please Note: Whether or not your Formal Complaint is filed in paper form or electronically, Formal Complaints filed with the CPUC become a **public record** and may be posted on the CPUC’s website. Therefore, any information you provide in the Formal Complaint, including, but not limited to, your name, address, city, state, zip code, telephone number, E-mail address and the facts of your case may be available online for later public viewing.

Having been so advised, the Undersigned hereby consents to the filing of the referenced complaint.



Signature

5/7/2026

Date

ABRAHAM GONZALEZ

Print your name