

STATE OF CALIFORNIA
DEPARTMENT OF INDUSTRIAL RELATIONS

DECISION ON ADMINISTRATIVE APPEAL
RE: PUBLIC WORKS CASE NO. 2001-059
UTILITY AGREEMENTS FOR RELOCATION OF UTILITIES
CALIFORNIA DEPARTMENT OF TRANSPORTATION

The undersigned, having reviewed the administrative appeal filed by the California Department of Transportation ("Appellant") in the above-entitled matter, said appeal is hereby denied for the reasons set forth in the initial coverage determination dated October 25, 2002, which is incorporated by reference herein.

In its appeal, Appellant requests a hearing. Title 8, California Code of Regulations, section 16002.5(b) provides that the decision to hold a hearing is within the Director's sole discretion. Because the material facts of this case are not in dispute and the issues raised are legal, no hearing is necessary. Appellant's request is therefore denied.

This decision constitutes final administrative action in this matter.

Dated: 1-15-03

Chuck Cake
Chuck Cake, Acting Director