

Decision No. 28464.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the Matter of Application of  
SOUTHERN PACIFIC COMPANY for an order  
authorizing construction at grade and  
at separated grades of railroad tracks  
across certain streets, lanes, alleys  
and highways, and across the track of  
The Western Pacific Railroad Company  
at locations hereinafter described, in  
the City of San Jose and in the vicin-  
ity of San Jose, County of Santa Clara,  
State of California.

Application No. 14948.

**ORIGINAL**

BY THE COMMISSION:

EIGETH SUPPLEMENTAL ORDER

In its Sixth Supplemental Order, Decision No. 28255, dated September 30, 1935, the Commission authorized the construction of a temporary track at grade across Almaden and Northern Roads in the vicinity of San Jose, subject to certain conditions, one of which provided that these crossings be used for construction purposes only, unless their use in connection with main line train operations be authorized by subsequent order of the Commission.

It now appears that Southern Pacific Company will commence main line operations on its so-called San Jose line change on December 31, 1935, and that pending the completion of the subway at Almaden Road heretofore authorized in this proceeding, it will be necessary to operate main line trains over the temporary crossings authorized in said Sixth Supplemental Order.

It appearing that a public hearing is not necessary and that Southern Pacific Company should be permitted to carry

on main line operations over these crossings.

IT IS HEREBY ORDERED that Southern Pacific Company is hereby authorized to use the temporary grade crossings authorized in the Commission's Decision No. 28255 for its main line operations pending completion of the grade separation at Almaden Road, either at their existing locations or at such other locations in the vicinity of the existing crossings as may be required to facilitate the construction of said grade separation. Authority is hereby granted to relocate said crossings when necessary in connection with said construction.

In all other respects said Decision No. 28255 is reaffirmed and shall remain in full force and effect.

The authority herein granted shall become effective on the date hereof.

Dated at San Francisco, California, this 21<sup>st</sup> day of December, 1935.

Jean Whelan

M. A. Carr

M. S. Davis

W. H. ...

Drew R. ...

Commissioners.