

Decision No. 34920

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

ORIGINAL

In the Matter of the Application of the People of the State of California, on relation of the Department of Public Works, for an order authorizing the construction of a crossing at grade of the State Highway and the tracks of the Southern Pacific Railroad (Berryessa Spur), near San Jose, in the County of Santa Clara, State of California.

Application No. 22547

O R D E R

The People of the State of California, on relation of the Department of Public Works, are authorized to construct a State Highway (Road IV-SC1, -08-13) across Berryessa Spur of Southern Pacific Company near San Jose, Santa Clara County, at the location described in the application, to be identified as Crossing No. DA-45. ^{82c} Applicant shall bear entire construction expense, also maintenance cost outside of lines two feet outside of rails. Southern Pacific Company shall bear maintenance cost between such lines. Width of crossing shall be not less than thirty-four feet and grades of approach not greater than four per cent. Construction shall be equal or superior to Standard No. 3-B of G.O. 72. Protection shall be by two reflectorized Standard No. 1 crossing signs. (G.O. 75-A).

No train, engine, motor, or car shall be operated over said crossing unless traffic is protected by a member of the train crew or other competent employee acting as flagman.

Within thirty days after completion pursuant to this order, applicant shall so advise the Commission in writing. This authorization shall become void if not exercised within one year (Unless time be extended), or if above conditions are not complied with. Authorization may be revoked or modified if public convenience, necessity or safety so require. This order shall be effective immediately.

Dated, San Francisco, California, April 11, 1939.

Frank J. ...
Justice J. ...