

Decision No. 24590

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of SOUTHERN )  
PACIFIC COMPANY for an order authorizing the )  
construction at grade of a side track across )  
a county road known as Miramonte Avenue at )  
Perry Station; a side track across county road )  
known as North Street at San Martin Station, )  
and a side track across county roads known as )  
Buena Vista Avenue, Rucker Avenue and Denio )  
Avenue at Rucker Station, all in the County of )  
Santa Clara, State of California. )

**ORIGINAL**  
Application  
No. 24338

BY THE COMMISSION:

FIRST SUPPLEMENTAL ORDER

In Decision No. 34482 in the above entitled application the Commission authorized the construction of passing tracks at grade across county roads in Santa Clara County. At the time said decision was made applicant proposed to install centralized traffic control in the territory affected and the crossing protection specified in said decision was predicated on the installation of such centralized control.

It now appears that centralized traffic control will not be installed and applicant has also changed its plans with respect to the location of certain of the passing tracks. Applicant has filed a supplemental application requesting that the original order be vacated and requesting authority to construct passing tracks at grade across five county roads, two of which were involved in the original order.

Good Cause Appearing,

IT IS HEREBY ORDERED that Decision No. 34482 in this application is hereby rescinded.

IT IS HEREBY FURTHER ORDERED that Southern Pacific Company is authorized to construct passing tracks at grade across five county roads in Santa Clara County at the locations described in the application to be identified as follows:

Miramonte Avenue, Perry Station - A portion of Crossing No. E-66.9,  
 North Street, San Martin - A portion of Crossing No. E-74.4,  
 Rucker Avenue, Rucker Station - A portion of Crossing No. E-77.3,  
 Denio Avenue, Rucker Station - A portion of Crossing No. E-77.8,  
 Buena Vista Avenue, Rucker Sta. - A portion of Crossing No. E-78.0.

Applicant shall bear entire construction and maintenance expense. Construction shall be equal or superior to Standard No. 2 of G. O. No. 72, the width to conform to the portions of said roads now graded with tops of rails flush with roadway and at the same elevation as the tops of rails of the adjacent main line tracks and with grades of approach not exceeding six per cent. Protection at Crossings Nos. E-66.9, E-74.4, E-77.8, and E-78.0 shall be by two Standard No. 1 crossing signs. Protection at the crossing of Rucker Avenue, Crossing No. E-77.3, shall be by one Standard No. 1 crossing sign and one Standard No. 3 wigwag. Upon completion of the crossing of Rucker Avenue at the location referred to herein the existing crossing of a passing track with said Rucker Avenue on the southwesterly side of the main line crossing shall be removed.

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 at San Francisco, California, this 16<sup>th</sup> day of September, 1941.

*[Handwritten signatures of Commissioners]*  
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