

Decision No. 39706

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the application of  
THE WESTERN PACIFIC RAILROAD COMPANY  
for permission to construct, maintain  
and operate a spur track at grade  
across 28th Street, in the City of  
San Jose, County of Santa Clara, State  
of California.

Application No. 28031

ORIGINAL

O R D E R

THE WESTERN PACIFIC RAILROAD COMPANY is authorized to construct a spur track at grade across 28th Street in San Jose, Santa Clara County, at the location described in the application, to be identified as Crossing No. 4G-16.75-C. Applicant shall bear entire construction and maintenance expense. Construction of said crossing shall be equal or superior to Standard No. 2 of G. O. No. 72, without super-elevation and of a width to conform to the portion of the street now graded, with tops of rails flush with roadway, and with grades of approach not exceeding one per cent. Protection shall be by one Standard No. 1 crossing sign (G. O. No. 75-B).

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 10<sup>th</sup> day of

December, 1946.

Harold P. Kuls  
Justin J. Calmes  
Franklin D. ...  
W. B. ...  
A. B. ...  
COMMISSIONERS