

Decision No. 40061

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of Application of  
SOUTHERN PACIFIC COMPANY for an order  
authorizing the construction at grade  
of three railroad industrial drill tracks  
across Santa Clara-Alviso Road, in the  
County of Santa Clara, State of  
California.

Application No. 28202

ORDER MODIFYING DECISION

Applicant above named having filed its petition for modification of Decision No. 40,050, issued in the above captioned proceeding under date of March 11, 1947, and requesting that the following provision contained therein be deleted therefrom, which said provision reads as follows:

"If and when this Commission finds that public convenience or safety requires that the highway and railroad grades be separated at this crossing applicant shall bear the entire cost thereof."

And the Commission having considered said petition for modification and it appearing to the satisfaction of said Commission that the direction contained in the above quoted language of said decision was and is not responsive to any issue raised in the above captioned proceeding, and good cause appearing therefor,

IT IS ORDERED that the following language contained in said decision be and the same is hereby deleted therefrom:

"If and when this Commission finds that public convenience or safety requires that the highway and railroad grades be separated at this crossing applicant shall bear the entire cost thereof."

In all other respects said Decision No. 40,050, issued in the above captioned proceeding, shall remain in full force and

effect.

Dated at San Francisco, California, this 17th day of  
March, 1947.

Harold P. Hull

Justus J. Quisenberry

Irving H. Kinnell

A. E. Johnson

Wesley H. Patten

Commissioners