

ORIGINAL

Decision No. 40871

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the application  
of the CITY OF SAN JOSE, a Municipal  
Corporation, for authorization for  
the construction of a public highway  
across a railroad.

Application No. 28648

O R D E R

The City of San Jose and the County of Santa Clara are authorized to construct Rosa Street at grade across a branch line track, two side tracks and a crossover of Southern Pacific Company at the northerly city limits of San Jose, Santa Clara County, at the location described in the application, to be identified as Crossing No. D-45.4. Applicants 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 the graded width of said Rosa Street and grades of approach shall be not greater than one per cent. Revised profiles for the crossing and approach grades approved by Southern Pacific Company shall be filed with the Commission prior to beginning construction. Construction shall be equal or superior to Standard No. 2 of G.O. No. 72. Protection shall be by two Standard No. 8 crossing signals (G. O. No. 75-B) so controlled as to give warning of the presence of a train or cars occupying or approaching the crossing on all tracks. Plan and description of the method of operations of the signals shall be filed with the Commission in advance of installation.

Within thirty days after completion pursuant to this order, applicants 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. The effective date of this order shall be twenty days from the date hereof.

Dated at San Francisco, California, November 4<sup>th</sup> 1947.

Harold T. Kula  
Justus F. Diemer  
Earl W. Fawcett  
Ch. J. Dummer

Commissioners