

ORIGINAL

Decision No. 43118

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

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) Application No. 30090
the widening and reconstruction of)
existing grade crossing of the State)
Highway, Route 75, and the tracks of)
the Sacramento Northern Railway in)
Contra Costa County, State of California.)

GEORGE D. MOE, for Applicant.
E. L. VAN DELLEN for Sacramento Northern Railway,
Interested Party.

INTERIM OPINION AND ORDER

In this Application, the Department of Public Works of the State of California requests authority to widen and reconstruct a crossing of State Highway with the mainline track of Sacramento Northern Railway, in the City of Walnut Creek, and also that the Commission prescribe the terms upon which such crossing shall be reconstructed and the proportions in which the expense be divided. A public hearing was held in San Francisco on June 30, 1949, before Examiner R. K. Hunter. The matter was submitted on filing of concurrent briefs fifteen days from receipt of the transcript.

At the hearing, the parties stated that they were in agreement as to the engineering details of the proposed reconstruction, but not with respect to the division of cost. It appears that a contract for the construction of this section of highway has been let, and applicant has requested authority to proceed with the widening of the crossing immediately. Counsel for the Sacramento Northern Railway stated that there would be no objection to such procedure.

In view of the urgency, it appears desirable to make an interim order granting authority for reconstruction of the crossing as

proposed in the application, and later issue a decision apportioning the cost of the work; therefore,

IT IS HEREBY ORDERED that the Department of Public Works of the State of California is authorized to widen and reconstruct a crossing at grade of State Highway Route 75 with the mainline track of Sacramento Northern Railway Company in the City of Walnut Creek, Contra Costa County, California, (Crossing No. 8-27.1), substantially in accordance with (Exhibit "A") attached to the Application and Exhibit 3 filed at the hearing. Protection shall be by two Standard No. 3 crossing signals relocated, as shown on Exhibit 3.

The apportionment of the cost of reconstructing and widening the crossing, as herein authorized, shall be in accordance with a subsequent order of the Commission in this proceeding.

Within thirty days after completion pursuant to this order, applicant shall so advise the Commission in writing. This authorization shall lapse 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.

In view of the urgency that construction work be undertaken immediately, the effective date of this order shall be the date hereof.

Dated at San Francisco, California, July 12, 1949.

R. Z. [Signature]
Justice F. [Signature]
Edw. F. [Signature]
Harold P. [Signature]
Frederick [Signature]
COMMISSIONERS