

ORIGINAL

Decision No. 44127

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
 THE WESTERN PACIFIC RAILROAD COMPANY)
 for permission to relocate a spur track)
 at grade across Martha Street and along) Application No. 31319
 Fifth Street in the City of San Jose,)
 County of Santa Clara, State of California.)

O R D E R

The Western Pacific Railroad Company is authorized to relocate a spur track at grade across Martha Street in San Jose, Santa Clara County, identified as a portion of Crossing No. 4G-20.34-C, to the location described in the application. Reconstruction of said crossing shall be equal or superior to Standard No. 2 of G. O. No. 72, without superelevation and of a width to conform to the portion of the street now graded, with tops of rails flush with the roadway and with grades of approach not exceeding three per cent. Protection shall be by existing Standard No. 1 crossing sign (G. O. No. 75-B). Applicant shall bear entire construction and maintenance expense.

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.

The effective date of this order shall be twenty days after the date hereof.

Dated at San Francisco, California, May 2nd, 1950.

R. Z. [Signature]
[Signature]
[Signature]
[Signature]

Commissioner Justus F. Craemer, being necessarily absent, did not participate in the disposition of this proceeding.

COMMISSIONERS