

ORIGINALDecision No. 45827

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 spur track across) Application No. 32419
 Bayshore Highway (State #86), in)
 the City of San Jose, County of)
 Santa Clara, State of California.)

O R D E R

Southern Pacific Company is authorized to construct a turnout at grade across a portion of the right of way of the Bayshore Highway and install a switch indicator, as shown on Southern Pacific Company Western Division Drawing S-1714 dated May 1951, in Santa Clara County, at the location described in the application, to be identified as a portion of Crossing No. DA-44.9.

Bayshore Highway is not improved in the area to be occupied by said turnout and no specifications as to type of paving or grades of approach are required. Applicant shall bear entire construction and maintenance expense.

When movements are to be made through said turnout the engine or cars shall not stop or stand in the traveled portion of the highway while the switch to the turnout is being opened or closed.

Permit or other evidence of the consent of the Division of Highways shall be filed with the Commission and the conditions of such permit shall apply as if incorporated in this order.

Applicant is placed on notice that the conditions herein provided apply only while the connecting trackage is used for the purpose of serving the one industry referred to in the application. In the event this trackage is expanded for other purposes the

Commission reserves the right to amend or supplement said conditions.

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 industry to be served has requested that this authority be granted immediately as its packing shed is now nearing completion, therefore, the effective date of this order shall be the date hereof.

Dated at San Francisco, California, June 12,

1951.

A. T. Anderson
Harold P. Hills
Robert L. Mitchell

COMMISSIONERS