

ORIGINALDecision No. 49881

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 drill track and three)
 spur tracks across Mary Avenue in)
 the City of Sunnyvale, County of)
 Santa Clara, State of California.)

Application No. 35258

INTERIM ORDER

The Southern Pacific Company seeks authority to construct a drill track and three spur tracks at grade across Mary Avenue in Sunnyvale in order to serve a new industry at this location. Applicant represents that the industry has immediate need of rail service. At present Mary Avenue is crossed by two main line tracks and protected by two No. 3 wigwags. The applicant proposes that the protection at the crossing when the four additional tracks are constructed will be the same as at present. It appears that the four additional tracks may result in additional hazards over and above those presently existing at the crossing and therefore may require additional protection.

In view of the urgent need for the additional tracks, the construction across Mary Avenue will be authorized with temporary protection as proposed by the applicant pending a hearing to determine the nature and kind of permanent crossing protection required.

IT IS ORDERED that Southern Pacific Company may construct a drill track and three spur tracks at grade across Mary Avenue in the City of Sunnyvale, Santa Clara County, at the location described in the application to be identified as a portion of Crossing No. E-37.9. Construction of said crossing shall be equal or superior to Standard No. 2 of General Order No. 72 without superelevation and of a width to conform to the avenue now graded with tops of rails flush with the

roadway and with grades of approach not exceeding 2½ percent. Protection shall be by two existing No. 3 wigwag signals (General Order 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 applicant and the Pacific Can Company, the industry to be served by the proposed tracks, request that the trackage be installed as soon as possible in order that materials for construction purposes may be received in the immediate future. Therefore, the effective date of this order shall be the date hereof.

IT IS FURTHER ORDERED that a public hearing in this proceeding be held at such time and place as may be hereafter designated.

The Secretary is directed to cause copies of this interim order to be served forthwith upon the Southern Pacific Company, the Pacific Can Company and the City of Sunnyvale, and to cause appropriate notice of hearing to be mailed at least ten days before the hearing herein.

Dated at San Francisco, California, this 6th day of April 1954.

A. F. Anderson
President

Justin F. Callahan

Richard E. Madril

James J. Rogers