

ORIGINALDecision No. 51952

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of the City of San Jose)
 for an Order Authorizing Construction)
 of Alma Avenue Across Southern Pacific) Application No. 37165
 Company Railroad Lines Through an)
 Underpass Structure.)

ORDER

The City of San Jose is authorized to construct Alma Avenue at separated grades under the track of Southern Pacific Company, in the City of San Jose, Santa Clara County, at the location as shown by maps (Exhibits E to H, inclusive) attached to the application, to be identified as Crossing No. E-48.9-B. Construction and maintenance expense shall be borne in accordance with an agreement entered into between the parties relative thereto, and copy of said agreement, together with plans of said crossing approved by Southern Pacific Company, shall be filed with the Commission within 180 days from the date hereof. Should the parties fail to agree, the Commission will apportion the cost of construction and maintenance by further order. Clearances shall conform to the provisions of General Order 26-D.

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 two years unless time be extended or if conditions are not complied with. The effective date of this order shall be twenty days after the date hereof.

Dated at San Francisco, California, this 13th
 day of September, 1955.

J. E. Nitchell
 President
Justus J. Casner
Raymond W. Lutz
Michael J. Shohy
R. H. Hardy
 Commissioners