

Decision No. 53125**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of the State of California,
 Department of Public Works, for an order
 authorizing construction of a crossing
 at separated grades, the elimination of
 an existing crossing at grade, construc-
 tion of a shoofly and temporary detour
 crossing at grade, construction of one
 new crossing at grade and alteration of
 an existing crossing at grade of The
 Western Pacific Railroad Company's
 branch track and State Highway Route
 IV-SCL-68-B, SJs, and sometimes referred
 to as "East San Jose Underpass", and to
 alter an existing crossing at grade
 of Southern Pacific Company's spur
 track with said State Highway in Santa
 Clara County.

Application No. 37273

ORDER

The Department of Public Works, Division of Highways,
 of the State of California, applicant, proposes to improve
 State Route 68 (U.S. 101) in the City of San Jose and vicinity
 and in connection therewith, proposes to construct a crossing
 at separated grades, eliminate an existing crossing at grade,
 construct a shoofly and temporary detour crossing at grade,
 construct one new crossing at grade and alter an existing
 crossing at grade of The Western Pacific Railroad Company's
 branch track and State Highway Route IV-SCL-68-B, SJs, and to
 alter an existing crossing at grade of Southern Pacific Company's
 spur track with said State highway in Santa Clara County. It
 appears that the project is in the public interest; therefore,

IT IS ORDERED that the Department of Public Works of
 the State of California is authorized to undertake the work

shown on Exhibits Nos. "A" to "D", inclusive, attached to the application and a part thereof, as summarized in the following table:

TABLE OF CROSSING DATA

<u>Name of Road or Structure</u>	<u>P.U.C. Crossing Number</u>	<u>Tracks Crossed</u>	<u>Type of Crossing</u>	<u>Type of Protection (G. O. 75-B)</u>	<u>Work</u>
<u>THE WESTERN PACIFIC RAILROAD COMPANY</u>					
East San Jose Underpass (State Rte. #68 - U.S. 101)	4G-16.1-B	1 Branch	Underpass	-	Construct
State Rte. 68 (U.S. 101)	4G-16.1	1 Branch	Grade Crossing	2 Std. #8 Flashing Light Signals	Eliminate
State Rte. 68 (U.S. 101)	4G-16.05	1 Branch	Grade Crossing	2 Std. #8 Flashing Light Signals 2-#1A Crossing Signs	Construct (temporary) During construction of underpass only
McKee Road	4G-16.52	1 Branch	Grade Crossing	2 Std. #8 Flashing Light Signals	Construct
East Julian Street	4G-16.5	1 Branch	Grade Crossing	2 Std. #8 Flashing Light Signals	Alter
<u>SOUTHERN PACIFIC COMPANY</u>					
State Rte. 68	DA-45.82-C	1 Spur	Grade Crossing	2-#1A Crossing Signs Highway Traffic To Be Flagged (see note below)	Alter

Vehicular traffic on State Route 68 (U.S. 101) shall be protected from rail movements across Crossing No. ^{DA}~~AD~~-45.82-C *CPH* by being flagged by a member of the train crew or other competent

employee of the railroad company acting as flagman. The type of protection, two No. 1A crossing signs (General Order No. 75-B), is authorized for a period of three years from the date of this order. If after the expiration of the three-year period the crossing is still in existence the Commission will reopen the application, determine the protection needed and allocate the cost thereof.

Construction and maintenance expenses shall be borne in accordance with agreements to be entered into between the parties relative thereto, and copies of said agreements, together with plans of said crossings approved by The Western Pacific Railroad Company and Southern Pacific Company shall be filed with the Commission prior to commencing construction. 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 No. 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 22nd day of May, 1956.

E. P. Mitchell
President
Justus J. Casner
Paulo Antunes
Wm. D. Basler
R. Hardy
Commissioners