

55131

Decision No. _____

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 and the construction)
 of a temporary detour grade crossing at)
 the intersection of State Highway Route) Application No. 38940
 IV-SCL-68-SJs and the San Jose-Niles)
 branch line track of the Southern Pacific)
 Company in the City of San Jose, County)
 of Santa Clara, sometimes referred to as)
 the "North San Jose Underpass".)

O R D E R

State of California, Department of Public Works, is authorized to construct State Highway Route 68 (U.S. 101 Bypass) at separated grades under the track of Southern Pacific Company at San Jose, Santa Clara County, at the location as shown by Exhibit "B" attached to the application, to be identified as Crossing No. DA-45.0-B.

Applicant is also authorized to construct a temporary detour road at grade across a spur track of Southern Pacific Company substantially at the location and in a manner as set forth in the application, Exhibits "A" and "C", near the intersection of 11th and Commercial Streets, San Jose, Santa Clara County, to be identified as Crossing No. DA-45.1-C. No train, engine, motor or car shall be operated over said spur track crossing unless said train, engine, motor or car shall be first brought to a stop and traffic on the road protected by a member of the train crew acting as flagman. Within thirty days after completion of said temporary grade crossing pursuant to this order, the applicant shall advise the Commission in writing.

Construction and maintenance expense shall be borne in accordance with an agreement to be entered into between the parties relative thereto, and copy of said agreement, together with plans of said grade separation approved by 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.

Within thirty days after completion of Crossing No. DA-45.0-B pursuant to this order, applicant shall abandon and effectively barricade Crossing No. DA-45.1-C from public use and advise the Commission of said completion and abandonment in writing.

This authorization shall expire 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 18th day of JUNE, 1957.

[Signature]
President
[Signature]
[Signature]

Commissioners