

Decision No. 51602**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of the CITY OF SAN JOSE, )  
 CALIFORNIA, for permission to con- )  
 struct a new grade crossing and the )  
 abandonment of the existing grade )  
 Crossing No. E-58.56 of the Southern )  
 Pacific Company's track in the City )  
 of San Jose. )

Application No. 39872

ORDER

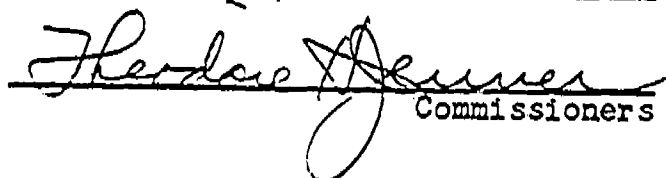
The City of San Jose is authorized to construct Cottle Road at grade across tracks of Southern Pacific Company in the City of San Jose, Santa Clara County, at the location described in the application to be identified as Crossing No. E-58.6. Construction expense shall be borne in accordance with an agreement to be entered into between the parties relative thereto. Should the parties fail to agree, the Commission will apportion the cost of construction by further order. Applicant shall bear maintenance cost outside of lines two feet outside of rails. Southern Pacific Company shall bear maintenance cost between such lines. Width of crossing and grades of approach shall be as shown in the application. Construction shall be equal or superior to Standard No. 2 of General Order No. 72. Protection shall be by three Standard No. 8 flashing light signals, (General Order No. 75-B), equipped with automatic gate arms.

Upon completion, the existing Crossing No. E-58.6 about 150 feet northwesterly of the new crossing shall be abandoned and closed. Within thirty days after completion pursuant to this order, applicant shall so advise the Commission in writing. This authorization shall expire 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. Applicant alleges that this proposed improvement is urgently needed to serve new industries in the area and asks that the authorization requested be made effective immediately. Consequently, the effective date of this order shall be the date hereof.

Dated at San Francisco, California, this 29<sup>th</sup> day of APRIL, 1958.

  
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President

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Commissioners