

**ORIGINAL**Decision No. 54072

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 between the Ogden )  
 Route main line tracks of the Southern ) Application No. 39699  
 Pacific Company and State Route III-Pla- )  
 37-C,D, in Placer County, sometimes )  
 referred to as the "Magra Overhead". )

O R D E R

State of California, Department of Public Works, is authorized to construct State Route 37 (U.S. 40) at separated grades over the tracks of Southern Pacific Company, near Magra, Placer County, at the location as shown by map (Exhibit B) attached to the application, to be identified as Crossing No. A-149.4-A. Construction and maintenance expense shall be borne in accordance with agreements to be entered into between the parties relative thereto, and copy of said agreements, 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 No. 26-D.

By Decision No. 54072 dated November 13, 1956, in Application No. 38325 filed August 11, 1956, applicant was granted authority to construct a crossing at separated grades at M.P. 149.4. According to Application No. 39699, it is understood the applicant does not desire to exercise the authority granted in Decision No. 54072 and, instead, intends to construct the separation in accordance with Application No. 39699.

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 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 27<sup>th</sup> day of May, 1958.

*John E. Butcher*  
President

*Ralph L. Kauter*

*William J. ...*

*Theodore ...*

Commissioners