

Decision No. 57018**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of the CITY OF SAN JOSE, )  
 CALIFORNIA, for permission to construct )  
 a separation of grade, by construction of ) Application No. 39689  
 an overpass, over existing tracks of the )  
 Southern Pacific Company at the location )  
 of existing grade crossing No. E-45.6 )

## O R D E R

The City of San Jose is authorized to construct Hedding Street at separated grades over the track of the Southern Pacific Company, in the City of San Jose, Santa Clara County, at the location substantially as shown by map (Exhibit A) attached to the application, to be identified as Crossing No. E-45.6-A. 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 crossing approved by the 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.

Upon completion of the Hedding Street overpass, Crossing No. E-45.6 (Hedding Street crossing at grade) shall be abandoned and closed. Upon completion of the Hedding Street overpass and the overpass sometimes referred to as "Laurel Street Overhead" at

milepost 45.3 plus or minus, Newhall Street, Crossing No. E-45.1 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 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 JULY, 1958.

E. L. Fox

President

Robert L. Mitchell

Paul F. Fitch

Theodore J. Jones

Commissioners