

Decision No. 58326**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of the CITY OF MILPITAS,)
 CALIFORNIA, for permission to construct)
 a new grade crossing and to abandon)
 the existing grade crossing No. D.A.-) Application No. 40757
 41.5 of the Southern Pacific Company's)
 track in the City of Milpitas, County)
 of Santa Clara, State of California.)

O R D E R

The City of Milpitas is authorized to construct Capitol Avenue at grade across track of the Southern Pacific Company in the City of Milpitas, Santa Clara County, at the location described in the application to be identified as Crossing No. DA-41.6.

Construction expense shall be apportioned by agreement between the parties or, if they fail to agree, by further order of the Commission. Maintenance cost outside of lines two feet outside of rails shall be borne by applicant. Southern Pacific Company shall bear maintenance cost between such lines. Width of crossing shall be as indicated in the application and grades of approach shall be not greater than two percent. Construction shall be equal or superior to Standard No. 2 of General Order No. 72. Protection shall be by two modified Standard No. 8 flashing light signals each equipped with one set of flashing lights mounted on a cantilever arm and with one set of flashing lights mounted on the signal standard.

Upon completion, Crossing No. DA-41.5 about 250 feet northerly 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. The effective date of this order shall be twenty days after the date hereof.

Dated at Los Angeles, California, this 28th
day of April, 1959.

C. L. Fox
President
E. N. [unclear]
Matthew [unclear]
Theodore [unclear]
Commissioners