

ORIGINALDecision No. 62530

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of THE WESTERN PACIFIC RAILROAD COMPANY for authority to construct tracks at grade across Landess Avenue and Piper Drive in the City of Milpitas, County of Santa Clara, State of California.	}	Application No. 43577
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O R D E R

The Western Pacific Railroad Company is authorized to construct a wye track at grade across Landess Avenue, to be identified as a portion of Crossing No. 4G-12.3, and across Piper Drive, to be identified as Crossing No. 4G-12.48-C, in the City of Milpitas, Santa Clara County, substantially as set forth in the application. Width of the Landess Avenue crossing shall be not less than fifty feet with grades of approach not greater than five percent. The width of the Piper Drive crossing shall be not less than sixty feet with grades of approach not greater than one percent. Construction shall be equal or superior to Standard No. 2 of General Order No. 72. Protection at Crossing No. 4G-12.3 (Landess Avenue) shall be by:

1. Two Standard No. 1 crossing signs (GO 75-B) reflectorized with reflex-reflective sheet material.
2. Appropriate railroad instructions as well as signs installed on the railroad approaches to Crossing No. 4G-12.3 that advise railroad operating personnel of the following requirement:

No train, engine, motor or car shall be operated over said crossing in switching operations unless said train, engine, motor or car shall first be brought to a stop and

traffic on the highway protected by a member of the train crew or other competent railroad employee acting as flagman.

3. Two 20,000 lumen (minimum) mercury vapor type overhead lights to be located between five and ten feet from the southerly edge of Landess Avenue, with one light to be easterly and the other to be westerly of the grade crossing, each to be installed about thirty feet above pavement at about forty feet from the center line of the nearest track.

Protection at Crossing No. 4G-12.48-C (Piper Drive) shall be by two Standard No. 1 crossing signs (GO 75-B).

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 the City of Milpitas. The Western Pacific Railroad Company shall bear maintenance cost between such lines.

Within thirty days after completion pursuant to this order, The Western Pacific Railroad Company shall so advise the Commission in writing. This authorization shall expire 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 Western Pacific Railroad Company alleges that the City of Milpitas is now in the process of paving

the roadway of Piper Drive and that it is desirable that the paving and the construction of the wye track proceed at the same time and asks that the authorization requested be made effective immediately. Therefore, the effective date of this order shall be the date hereof.

Dated at San Francisco, California, this 5th day of SEPTEMBER, 1961.

Charles B. Rogers
President
J. E. Mitchell
C. Lynn Fox
George G. Grover
Frederick B. Holbrook
Commissioner's