

Decision No. 62964

**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of the County of Santa Clara, State of California, for an order authorizing construction of a crossing at separated grades over the tracks of the Southern Pacific Company in connection with the construction of Montague Expressway in Santa Clara County.	}	Application No. 43816
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O R D E R

County of Santa Clara is authorized to construct the Montague Expressway at separated grades over the tracks of Southern Pacific Company, near Agnew, Santa Clara County, at the location and substantially as shown in the application, to be identified as Crossing No. L-42.1-A. Construction and maintenance expense shall be borne in accordance with an agreement entered into between the parties relative thereto, and copy of said agreement, 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.

Upon completion of Crossing No. L-42.1-A as herein authorized the private grade crossing now located at about railroad Milepost 42.1 shall be abolished by physical closing.

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.

Applicant alleges the need to schedule construction within the next few weeks and asks early authorization; therefore, the effective date of this order shall be the date hereof.

Dated at San Francisco, California, this 19th day of DECEMBER, 1961.

*Carroll W. Ray*  
President  
*J. L. Mitchell*  
*E. Lynn Fox*  
*George L. Grover*  
*Fredrick B. Holoboff*  
Commissioners