

64199

ORIGINAL

Decision No. _____

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of
 the City of Sunnyvale for permission
 to construct a Grade Separation
 Crossing of the Tracks of the
 Southern Pacific Company at Mathilda
 Avenue in the City of Sunnyvale.

Application No. 44595

ORDER

The City of Sunnyvale is hereby authorized to construct Mathilda Avenue at separated grades over the tracks of Southern Pacific Company in the City of Sunnyvale, Santa Clara County, at the location and in the manner shown by documents (Exhibits A to H, inclusive) attached to the application, to be identified as Crossing No. E-38.6-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 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.

During construction only a temporary detour road at grade may be constructed at or near the existing Mathilda Avenue crossing providing said detour road is protected by automatic crossing gates.

Upon completion of the project as authorized herein, Crossing No. E-38.6 at grade, Mathilda Avenue, shall be abolished by physical closing by railroad.

The proposed grade separation for Mathilda Avenue has been established as Priority No. 9 for the year 1962 by Decision No. 62990 dated December 27, 1961 in Case 7173, pursuant to Section 189 of the Streets and Highways Code as amended by Statutes 1959, Chapter 1763.

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 three 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
4th day of SEPTEMBER, 1962.

George A. Grover
President

[Signature]

[Signature]

Fredrick B. Hallock

Commissioners

Commissioner Peter E. Mitchell, being necessarily absent, did not participate in the disposition of this proceeding.