

**ORIGINAL**Decision No. 66111

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Investigation into the safety, use,  
and protection of the following  
crossings of Southern Pacific Company  
in and near the City of San Jose,  
County of Santa Clara:  
Snell Road - Crossing No. E-56.7  
Edenvale Avenue - Crossing No. E-57.5  
Chynoweth Avenue - Crossing No. E-58.2  
Cottle Road - Crossing No. E-58.6

Case No. 7195

ORDER DISCONTINUING INVESTIGATION

Pursuant to the Commission's directive in Decision No. 62673, dated October 11, 1961 in this proceeding, the grade crossing in the City of San Jose over the tracks of Southern Pacific Company at Edenvale Avenue (Crossing No. E-57.5) was closed, on October 16, 1961, to all vehicular and pedestrian traffic. Pending the construction of a new crossing at Branham Lane <sup>1/</sup> to serve "Frontier Village", a nearby amusement park, Case No. 7195 was held open for such additional evidence as might appear proper relative to the quality of protection at the crossings at Snell Road, Chynoweth Avenue and Cottle Road.

By letter dated August 29, 1963 the City of San Jose has advised the Commission that the Branham Lane Crossing has been constructed and opened to traffic. The Commission's staff,

1/ The construction of the Branham Lane crossing (No. E-57.3) over tracks of Southern Pacific Company was authorized by Decision No. 62375, dated August 1, 1961, in Application No. 43588. Subsequent extensions of time were granted.

following an inspection by one of its transportation engineers of all of the crossings embraced by this proceeding, as well as that at Branham Lane, is of the opinion that no additional hearings are necessary. Accordingly, the staff recommends that the investigation in Case No. 7195 be discontinued.

IT IS ORDERED that:

1. The motion made at the initial hearing in the proceeding herein by counsel for respondent Southern Pacific Company, to the effect that no evidence be received relative to improvement of, or additions to the existing protection at any of the crossings embraced by said proceeding until United California Theaters should be made a party respondent, is denied.

2. The Order Instituting Investigation in Case No. 7195 is amended to substitute the words "Cottle Road" for the words "Cattle Road" wherever the latter appear therein.

3. Decision No. 62673 is made final.

4. The investigation in Case No. 7195 is discontinued.

The effective date of this order shall be twenty days after the date hereof.

Dated at San Francisco, California, this 1st day of OCTOBER, 1963.

William L. Dennis  
President

W. E. [unclear]

George [unclear]

George L. Traver

Fredrick B. Holbrook

Commissioners