

Decision No. 69463**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of the State of California
 Department of Public Works for an order
 authorizing construction of three cross-
 ings at separated grades whereby State
 Route 280 will be carried over the tracks
 of Southern Pacific Company in Cupertino,
 Santa Clara County, referred to as
 "Simla Overhead", "Simla On-Ramp Overhead"
 and "Simla Off-Ramp Overhead".

Application No. 47606

ORDER

State of California Department of Public Works is hereby authorized to construct "Simla Overhead", "Simla On-Ramp Overhead" and "Simla Off-Ramp Overhead" at separated grades over the track of Southern Pacific Company, near Cupertino, Santa Clara County, at the location and substantially as shown by plans (Exhibit B) attached to the application, to be identified as Crossings Nos. EN-39.85-AC, EN-39.91-AC and EN-39.93-AC, respectively. 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. Clearances shall be in accordance with the requirements of General Order No. 26-D, except that during the period of construction of the "Simla On-Ramp Overhead" and "Simla Off-Ramp Overhead", a clearance of not less than 21' 0" above top of rail is authorized provided Southern Pacific Company issue appropriate bulletins to train and engine-men advising them of the temporarily impaired clearance conditions and forbidding trainmen to ride on tops of cars while operating beneath the structures.

Upon completion, Foothill Boulevard Crossing No. EN-39.6 and Vineyard Drive Crossing No. EN-39.7-C 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 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 27th day of JULY, 1965.

Fredrick B. Hallock
President
George E. Grover
Augustin

Commissioners

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

Commissioner William M. Bennett, being necessarily absent, did not participate in the disposition of this proceeding.