

**ORIGINAL**Decision No. 70543

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 )  
Fair Oaks Avenue in the City of )  
Sunnyvale. )

Application No. 48195

ORDER

City of Sunnyvale is hereby authorized to construct Fair Oaks Avenue at separated grades over the tracks of Southern Pacific Company, in Sunnyvale, Santa Clara County, at the location and substantially as shown by plan (Exhibit A) attached to the application, to be identified as Crossing No. E-39.3-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 26-D.

This project was assigned Priority No. 4 in the Commission's Decision No. 70134 in Case No. 8244, dated December 21, 1965, which established the 1966 Grade Separation Priority List pursuant to Section 139 of the Streets and Highways Code.

During the construction of this grade separation the Fair Oaks Avenue Crossing No. E-39.3 is to be physically closed and abandoned and the traffic is to be detoured over the existing Wolfe Road Crossing No. E-39.7. Prior to the closure of the Fair Oaks Avenue Crossing, the Wolfe Road Crossing shall be widened to not

less than 48 feet and grades of approach not greater than three percent. Protection shall be by two Standard No. 3 crossing signals (General Order No. 75-B) supplemented with automatic gate arms. Construction shall be equal or superior to Standard No. 2 of General Order No. 72.

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 5<sup>th</sup> day of APRIL, 1966.

Fredrick B. Holdhoff  
President  
George J. Glover  
Auguston

William L. Bennett  
Commissioners

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