

**ORIGINAL**Decision No. 71907

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of the City of Oakland, )  
 a municipal corporation, for )  
 authority and approval of a public )  
 crossing at grade of a spur track )  
 extending from the tracks of )  
 Southern Pacific Company to private )  
 property situated near the inter- )  
 section of Fallon and 1st Streets. )

Application No. 48561  
 (Filed June 17, 1966)

O R D E R

The City of Oakland is hereby authorized to construct a crossing at grade of Embarcadero across a spur track of Southern Pacific Company in the City of Oakland, Alameda County, at the location and substantially as shown on plan attached to the application to be identified as Crossing No. D-7.4-C.

Width of crossing shall be not less than 24 feet or greater than 26 feet, and grades of approach not greater than three percent. Construction shall be equal or superior to Standard No. 2 of General Order No. 72. Protection shall be by two Standard No. 3 flashing light signals (General Order No. 75-B).

Construction expense shall be borne in accordance with an agreement to be entered into between the parties relative thereto, and copy of said agreement approved by Southern Pacific Company shall be filed with the Commission within 180 days from the date hereof. Maintenance cost of the automatic crossing protection shall be borne pursuant to the provisions of Section 1202.2 of the Public Utilities Code. Should the parties fail to agree, the Commission will apportion the cost of construction and maintenance by further order.

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 one year unless time be extended or if above conditions are not complied with.

Authorization may be revoked or modified if public convenience, necessity, or safety so require. The effective date of this order shall be twenty days after the date hereof.

Dated at San Francisco, California, this 24<sup>th</sup> day of JANUARY, 1967.

*John E. Mitchell*

President

*William G. Bennett*

*Avigador*

*Paul P. Murray*

Commissioners

Commissioner WILLIAM SYMONS, JR. did not participate in the disposition of this proceeding.