

ORIGINALDecision No. 72179

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of the State of California)
 Department of Public Works for an order)
 authorizing the temporary alteration of) Application No. 48797
 two crossings at grade and construction) (Filed September 19, 1966)
 of a crossing at separated grades where-) (Amended January 18, 1967)
 by State Route 4-SC1-280 will be carried)
 under tracks of the Southern Pacific)
 Company in the City of San Jose, herein)
 referred to as "Virginia Street Underpass".)

I N T E R I M O R D E R

The State of California Department of Public Works is hereby authorized to construct a crossing at separated grades of State Route 4-SC1-280 under the tracks of the Southern Pacific Company, referred to as "Virginia Street Underpass," to be identified as Crossing No. E-47.5-B, and to temporarily relocate two existing crossings at grade across the tracks of the Southern Pacific Company during the construction of the underpass, one being the crossing of Auzerais Avenue identified as Crossing No. E-47.45, and the other being the crossing of West Virginia Street identified as Crossing No. E-47.6, all within the City of San Jose, County of Santa Clara, at the locations and substantially as described and delineated in Exhibits A, B and C attached to the application.

Clearances shall conform to the provisions of General Order No. 26-D. Each of the aforementioned temporarily relocated grade crossings shall be protected by two Standard No. 8 flashing light signals (General Order No. 75-B), augmented by automatic gate arms.

Upon opening of the underpass to traffic, each of the temporarily relocated grade crossings shall be restored to its permanent location with protection at each crossing to be provided by two Standard No. 8 flashing light signals (General Order No. 75-B), augmented by automatic gate arms.

Construction 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 crossings approved by the 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 by further order.

Applicant states that the Southern Pacific Company and the Department of Public Works are not in agreement as to the apportionment of the cost of maintaining the "Virginia Street Underpass". Such cost will be apportioned by further order of this Commission.

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 21st day of MARCH, 1967.

[Signature]
President

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Commissioners