

Decision No. 72845**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of the CITY OF MILPITAS )  
 for an order authorizing construction )  
 of a crossing at separated grades )  
 between Calaveras Road and the tracks )  
 of the Southern Pacific Company and )  
 The Western Pacific Railroad Company, )  
 sometimes referred to as the "Calaveras )  
 Road Overhead". )

Application No. 48853  
 (Filed October 11, 1966)

ORDER

The City of Milpitas is hereby authorized to construct three crossings at separated grades of Calaveras Road over the tracks of Southern Pacific Company and The Western Pacific Railroad Company, in Milpitas, Santa Clara County, at the locations and substantially as shown by plans (Exhibit B) attached to the application, to be identified as "Calaveras Road Overhead", Crossings Nos. DA-40.2-A, 4G-10.3-A and 4G-10.3-AC, respectively.

Construction and maintenance expenses shall be borne in accordance with agreements to be entered into between the parties relative thereto, and copies of said agreements, together with plans of said crossings approved by Southern Pacific Company and The Western Pacific Railroad Company, respectively, shall be filed with the Commission prior to commencing construction. Should the parties fail to agree, the Commission will apportion the costs of construction and maintenance by further order.

Clearances shall conform to the provisions of General Order No. 26-D, except that during the period of construction of the Calaveras Road Overhead, a clearance of 21' 0" above top of

rail is authorized provided Southern Pacific Company and The Western Pacific Railroad Company both issue and file with the Commission appropriate bulletins to train and enginemen advising them of the temporarily impaired clearance conditions and forbidding trainmen to ride on the tops of cars while operating beneath the structure.

When Calaveras Road Overhead is opened to traffic the existing Calaveras Road grade Crossings Nos. DA-40.3, 4G-10.8 and 4G-10.8-C shall be abandoned and physically closed to traffic.

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 1<sup>st</sup> day of AUGUST, 1967.

[Signature]  
President

[Signature]

[Signature]

[Signature]  
Commissioners