

Decision No. 74274**ORIGINAL**

## BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of the City of San Jose, a municipal corporation of the State of California, and the County of Santa Clara, a political subdivision of the State of California, for permission to abolish by physical closing the crossing of Southern Pacific Company's railroad tracks by Snell Road as presently located (PUC Crossing No. E-56.7) and to construct Snell Road as relocated at grade across the existing tracks of the Southern Pacific Company in the vicinity of Monterey Road and Snell Road.

Application No. 42820  
(Filed September 26, 1966)  
(Amended September 15, 1967)

O R D E R

The City of San Jose is hereby authorized to relocate the crossing of Snell Road at grade with tracks of the Southern Pacific Company, the relocated crossing to be identified as Crossing No. E-56.8, in San Jose, Santa Clara County, as described and substantially as shown in the application. Width of crossing shall be not less than 70 feet and grades of approach not greater than four percent. Construction shall be equal or superior to Standard No. 2 of General Order No. 72. Protection shall be by three Standard No. 2 flashing light signals (General Order No. 75-B) augmented with automatic gate arms.

Construction expense shall be borne in accordance with an agreement entered into between the parties or, if they fail to agree, by further order of the Commission. Maintenance cost of the crossing outside of lines two feet outside of rails shall be borne by applicant. Southern Pacific Company shall bear maintenance cost of the crossing between such lines. Maintenance cost of the automatic crossing protection shall be divided equally between the city and the railroad, pursuant to the provisions of Section 1202.2 of the Public Utilities Code.

Upon completion, existing Crossing No. E-56.7 located about 500 feet northwesterly shall be abandoned and closed.

The relocated crossing shall not be opened to public use until the protection ordered herein is installed and operative.

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 27<sup>th</sup> day of JUNE, 1968.

[Signature]  
President

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Commissioners