

ORIGINAL

Decision No. 76217

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of the State of California
Department of Public Works for an order
authorizing (1) the construction of two
underpasses under tracks of the Southern
Pacific Company referred to as MERIDIAN
ROAD UNDERPASS and KINGMAN AVENUE UNDER-
PASS (2) construction and later removal
of temporary detour across track of
Southern Pacific Company (3) construct
a structure whereby Route 280 will be
carried over the (San Jose Branch Line)
tracks of Western Pacific Railroad Com-
pany, referred to as KELLEY PARK OVER-
PASS (4) close and remove existing
Grade Crossing No. L-48.4 over the
tracks of Southern Pacific Company at
Meridian Road in connection with the con-
struction of a portion of State Route 280
in the City of San Jose, County of Santa
Clara.

) Application No. 51127
) (Filed June 2, 1969)
) (Amended August 1, 1969)

O R D E R

The State of California Department of Public Works is hereby
authorized to construct crossings at separated grades of Meridian Road
and Kingman Avenue under the tracks of Southern Pacific Company, and
additionally applicant is authorized to construct a crossing at
separated grades over the tracks of The Western Pacific Railroad
Company near Milepost 13.1, in the City of San Jose, Santa Clara
County, at the locations and substantially as shown by plans (Exhibits
A and B) attached to the application, to be identified as Crossings
Nos. L-48.3-B, L-42.5-B and 4G-13.1-A, respectively. A temporary
detour road is authorized over tracks of Southern Pacific Company
to be identified as Crossing No. L-42.42. Protection shall be by
four Standard No. 3 flashing light signals (General Order No. 75-B)
augmented with automatic gate arms. Construction and maintenance
expenses shall be borne in accordance with agreements to be entered
into between the parties relative thereto, and copies of said agree-
ments, together with plans of said crossings approved by Southern
Pacific Company and The Western Pacific Railroad 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 be in accordance with General Order No. 26-D, except that during the period of construction, a clearance of not less than 21'0" above top of rail is authorized and The Western Pacific Railroad Company is authorized to operate with such reduced clearance provided it issues, and files with the Commission, appropriate bulletins to train and engine crews advising them of the temporarily impaired clearance condition and forbidding trainmen to ride on the tops of cars while operating beneath the structure.

Applicant shall notify the Commission and The Western Pacific Railroad Company at least 15 days but not more than 30 days in advance of the date when the temporarily impaired clearance will be created.

Walkway areas adjacent to The Western Pacific Railroad Company's tracks shall be maintained free of obstructions and shall promptly be restored to their original condition in the event of damage during construction.

Upon completion of the project Crossings Nos. L-48.4 (Meridian Road), L-48.42 (temporary detour road), E-52.06-C (Margaret Street) and E-52.12-C (Carrie Street) shall be abandoned and closed to public use and travel.

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 30th
day of SEPTEMBER, 1969.

William J. Guss, Jr.
President

J. B. Williams

Edna K. ...

James L. Stinger
Commissioners

Commissioner A. W. Catov, being
necessarily absent, did not participate
in the disposition of this proceeding.