

Decision No. 77625

ORIGINAL

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 alteration of existing
 Grade Crossing No. L-39.8 across the
 tracks of the Southern Pacific
 Transportation Company in connection
 with a proposed highway widening project
 along State Route 237 in the City of
 San Jose and in the County of Santa
 Clara.

Application No. 51345
 (Filed on April 24, 1970)

O R D E R

State of California Department of Public Works is hereby authorized to widen the crossing of State Route 237 at grade with a track of Southern Pacific Transportation Company, identified as Crossing No. L-39.3, in San Jose, Santa Clara County, as described and substantially as shown in the application. Width of crossing shall be not less than 72 feet and grades of approach not greater than one percent. Construction shall be equal or superior to Standard No. 2 of General Order No. 72. Protection shall be by four Standard No. 8 crossing signals (General Order No. 75-B) augmented with automatic gate arms, one of which shall also be augmented with additional flashing light signals on a cantilever arm.

Construction expense of the crossing 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 Transportation Company shall bear maintenance cost of the crossing between such lines.

Installation cost of the existing automatic crossing protection, which consists of two Standard No. 8 flashing light

signals (General Order No. 75-B) augmented with automatic gate arms, shall be divided equally between the applicant and the railroad. Maintenance cost of the existing automatic protection shall be divided equally between the applicant and the railroad, pursuant to the provisions of Section 1202.2 of the Public Utilities Code.

Installation cost of the proposed automatic crossing protection shall be divided equally between the applicant and the railroad. Maintenance cost of the proposed automatic protection shall be divided equally between the applicant and the railroad, pursuant to the provisions of Section 1202.2 of the Public Utilities Code.

The additional lanes 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 three years 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 18th day of AUGUST, 1970.

[Signature]
Chairman
[Signature]
William J. Lyons Jr.
[Signature]
Vermon L. Sturgeon
Commissioners