

ORIGINAL

Decision No. 77761

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, for permission to con- )  
 struct a new at-grade street crossing )  
 on Leigh Avenue-Porter Avenue over )  
 the railroad tracks of the Southern )  
 Pacific Transportation Company at a )  
 place approximately 2,100 feet south- )  
 west of the Fruitdale Avenue railroad )  
 crossing (P.U.C. No. L48.6) at Mile )  
 Post 490 on the Vasona Branch Line of )  
 said transportation company. )

Application No. 51853  
 (Filed April 29, 1970)

ORDER

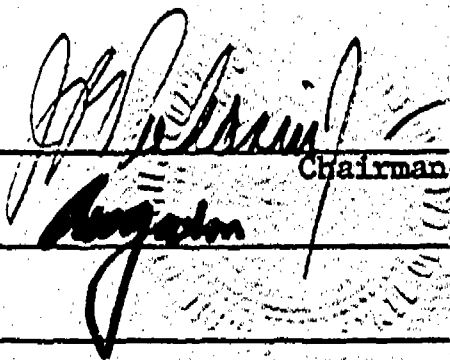
The City of San Jose is hereby authorized to construct Porter Avenue at grade across a track of Southern Pacific Transportation Company in San Jose, Santa Clara County, at the location described in the application to be identified as Crossing No. L-48.9.

Width of crossing shall be not less than 70 feet and grades of approach not greater than three percent. Construction shall be equal or superior to Standard No. 2 of General Order No. 72. Protection shall be by three Standard No. 8 flashing light signals (General Order No. 75-B) supplemented with automatic gate arms, one of which shall have an additional flashing light unit on cantilever arm.

Applicant shall bear entire expense of construction and installation of automatic protection, also maintenance cost of the crossing outside of lines two feet outside of rails. Southern Pacific Transportation Company shall bear maintenance cost of the crossing between such lines. Maintenance costs of the automatic protection shall be borne by the applicant, pursuant to the provisions of Section 1202.2 of the Public Utilities Code.

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 two 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 22<sup>nd</sup> day of SEPTEMBER, 1970.

  
\_\_\_\_\_  
Chairman

  
\_\_\_\_\_  
Commissioners

Commissioner William Swmons, Jr., being necessarily absent, did not participate in the disposition of this proceeding.

Commissioner Thomas Moran, being necessarily absent, did not participate in the disposition of this proceeding.