

Decision No. 78966

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of the CITY OF FREMONT
for an order authorizing construction
of a crossing at separated grades
between Pickering Avenue and the track
of The Western Pacific Railroad Company,
existing crossing No. 4G-0.5 at the
Western Pacific Railroad.

Application No. 52207
(Filed September 22, 1970)
(Amended July 20, 1971)

O R D E R

The City of Fremont is hereby authorized to construct a crossing at separated grades of Pickering Avenue under the track of The Western Pacific Railroad Company, in the City of Fremont, Alameda County, at the location and substantially as shown by plans (Exhibits A and B Revised) attached to the application, as amended, to be identified as Crossing No. 4G-0.50-B. Construction and maintenance expense shall be borne in accordance with an agreement to be entered into between the parties relative thereto, and copy of said agreement, together with plans of said crossing approved by 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 after hearing.

Clearance shall be in accordance with General Order
No. 26-D.

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

The existing Pickering Avenue Grade Crossing No. 4G-0.5 shall be abandoned and permanently closed to public vehicular traffic at the time construction is commenced on the grade separation structure herein ordered.

This project was assigned Priority No. 18 by Decision No. 78134 in Case No. 9095, dated December 22, 1970, which established the 1971 Grade Separation List pursuant to Section 139 of the Streets and Highways 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 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 27th
day of JULY, 1971.

William J. Sturgeon Chairman
James L. Sturgeon
Commissioners

Commissioner J. P. Vukasin, Jr., being necessarily absent, did not participate in the disposition of this proceeding.

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