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Decision No. 80115

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 Paseo Padre Parkway and the
track of the Southern Pacific
Transportation Company, new crossing
No. DAB 40.8 at the Southern Pacific
Railroad.

Application No. 53239
(Filed March 27, 1972)

O R D E R

The City of Fremont is hereby authorized to construct a crossing at separated grades of Paseo Padre Parkway under the track of Southern Pacific Transportation Company in the City of Fremont in the County of Alameda at the location and substantially as shown by plans (Exhibit B) attached to the application, to be identified as Crossing No. DAB-40.8-B.

Construction and maintenance expense shall be borne in accordance with an agreement to be entered into between the parties relative thereto, and a copy of said agreement, together with plans of said crossing approved by Southern Pacific Transportation Company, shall be filed with the Commission within 130 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. Walkway areas adjacent to the railroad tracks shall be maintained free of obstructions and shall promptly be restored to their original condition in the event of damage during construction.

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 the time be extended or if 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 31st
day of MAY, 1972.

Chairman

Commissioners

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