

Decision No. **80541**

# ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of  
the CITY OF MILPITAS, a municipal  
corporation, to construct WRIGLEY  
DRIVE at grade across the tracks of  
the Western Pacific Railroad  
Company's Milpitas Drill Track.

Application No. 53321  
(Filed May 11, 1972)

In the Matter of the Application of  
the CITY OF MILPITAS, a municipal  
corporation, to construct AMES AVENUE  
at grade across the tracks of the  
Western Pacific Railroad Company's  
Milpitas Drill Track.

Application No. 53322  
(Filed May 11, 1972)

In the Matter of the Application of )  
the CITY OF MILPITAS, a municipal )  
corporation, to construct YOSEMITE )  
DRIVE at grade across the tracks of )  
the Western Pacific Railroad Company's )  
Milpitas Drill Track.

Application No. 53323  
(Filed May 11, 1972)

O R D E R

The City of Milpitas is hereby authorized to construct Wrigley Drive, Ames Avenue and Yosemite Drive at grade across the tracks of The Western Pacific Railroad Company in Milpitas in the County of Santa Clara at the locations and substantially as shown by plans (Exhibit A) attached to each application, to be identified as Crossings Nos. 4G-12.52-C, 4G-12.98-C and 4G-13.11-C, respectively.

The crossing construction shall be equal or superior to Standard No. 2 of General Order No. 72-A. The grades of approach shall be as shown on plans attached to each application.

Protection and width at each crossing shall be the following:

<u>Crossing No.</u>	<u>Street</u>	<u>Protection</u>	<u>Width</u>
4G-12.52-C	Wrigley Drive	Two - No. 8's/Cants*	60 Feet
4G-12.98-C	Ames Avenue	Two - No. 8's/Cants*	48 Feet
4G-13.11-C	Yosemite Drive	Two - No. 3's/Cants*	68 Feet

\*No. 8's/Cants means Standard No. 8 flashing light signals (General Order 75-B), supplemented with additional flashing light signals on cantilevered arms.

This protection shall be installed within three years from the date of this order.

Pending installation of said automatic crossing protection, the crossings may be opened for public use provided the following items are complied with:

1. Install two Standard No. 1 crossing signs at each crossing (General Order No. 75-B) reflectorized with reflex-reflective sheet material.
2. No train, engine, motor or car shall be operated over said crossings unless it shall be first brought to a stop and traffic on the highway protected by a member of the train crew or other competent employee of the railroad acting as flagman. Suitable signs calling attention of trainmen to the above restriction shall be erected at each end of the crossings. The railroad shall issue written instructions for crews operating over these crossings to comply with this order.

The aforementioned operating restrictions and crossing protection shall expire after the automatic protection ordered herein is installed and operative.

No obstruction shall remain or be placed near the crossings which will impair the motorists' view of the signs or signals.

Construction expense of the crossings and installation of automatic protection shall be borne by the applicant.

Maintenance cost of the crossing outside of lines two feet outside of rails shall be borne by the applicant. The Western

Pacific Railroad Company shall bear maintenance cost of the crossings 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.

Clearances, including any curbs, shall conform to General Order 26D. Walkways shall conform to General Order 113 in that the transition slope between walkways required under General Order 113 and top of roadway shall provide a reasonable regular surface with gradual slope not to exceed 1" vertical to 8" horizontal in all directions of approach.

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 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 26<sup>th</sup> day of SEPTEMBER, 1972.

Vernon L. Sturgeon  
President  
William L. Sturgeon  
William L. Sturgeon  
William L. Sturgeon  
William L. Sturgeon  
Commissioners