

Decision No. 80707**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 widening of existing
Muir Spur Overhead, PUC No. 2-1170.6-AC,
and construction of a new crossing at
separated grades, over the tracks of The
Atchison, Topeka and Santa Fe Railway
Company, to be known as "Howe Road Over-
head," in connection with the improvement
of State Route 4 to freeway standards, in
and near the southern portion of Martinez,
Contra Costa County.

Application No. 53603
(Filed September 25, 1972)

O R D E R

California Department of Public Works is hereby authorized to widen the Muir Spur Overhead and to construct a crossing at separated grades of Howe Road, over the tracks of The Atchison, Topeka and Santa Fe Railway Company in Martinez in the County of Contra Costa at the locations and substantially as shown by plans (Exhibit B) attached to the application, to be identified as follows:

<u>Name</u>	<u>Crossing No.</u>	<u>Street</u>
Muir Spur Overhead	2-1170.6-AC	State Route 4
Howe Road Overhead	2-1170.2-A	Howe Road

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 crossings approved by The Atchison, Topeka and Santa Fe Railway Company shall be filed with the Commission prior to commencing construction. 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, and 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 8th
day of NOVEMBER, 1972.

Vermon L. Sturges
President
William H. Johnson

[Signature]
Commissioners

Commissioner J. P. Vukasin, 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.