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Decision No. 81762

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of the CITY OF MILPITAS)
for an order authorizing construction)
of a crossing at separated grades)
between Abel Street and the tracks of)
the Southern Pacific Transportation)
Company and The Western Pacific)
Railroad Company, sometimes referred)
to as the "Abel Street Overhead".)

Application No. 53438
(Filed July 6, 1972)
(Amended November 14, 1972)

SUPPLEMENTAL ORDER

Decision No. 81582, issued July 10, 1973, in this proceeding contains inadvertent errors in connection with the "crossing numbers" specified for the Abel Street Overhead and a relocated grade crossing. In addition, it did not contain the necessary authority for abandonment of an at-grade crossing as requested by the city in its application. The order which follows will make the necessary corrections.

IT IS ORDERED that Crossing No. DA-39.4-A is substituted for Crossing No. DA-40.3-A, and that Crossing No. 4G-9.9-A is substituted for Crossing No. 4G-10.8-A, shown in the first paragraph of the Findings and Conclusions on page 1 and again in Ordering Paragraph 1 on page 2 of Decision 81582.

IT IS FURTHER ORDERED that the third sentence of the first paragraph of the Findings and Conclusions on page 1 of Decision No. 81582 be changed to read: "The City of Milpitas should be authorized to relocate the grade crossing near Milepost 40 on the Southern Pacific Transportation Company's 'DA Line' to a new location approximately 120 feet north of its present location by closing North Main Street Crossing No. DA-40.0 and constructing a new crossing to be identified as Railroad Avenue Crossing No. DA-39.95."

IT IS FURTHER ORDERED that the following changes be made in Ordering Paragraph 3 of Decision No. 81582:

The first paragraph on page 3 shall be changed to read:

"The City of Milpitas is authorized to relocate the crossing of Southern Pacific Transportation Company tracks at Main Street to a new location at Railroad Avenue substantially as shown by plans (Exhibit C) attached to the application to be identified as Crossing No. DA-39.95."

The first paragraph on page 4 shall have the words "Railroad Avenue Grade Crossing" substituted for the words "Main Street Crossing".

A second paragraph shall be added on page 4 stating "Upon completion of the Railroad Avenue Grade Crossing, the existing grade crossing of Main Street, Crossing No. DA-40.0, located approximately 120 feet south of the authorized grade crossing shall be abandoned and physically closed."

IT IS FURTHER ORDERED that an additional Ordering Paragraph 6 be inserted on page 4 of Decision No. 81582 to read as follows:

"6. Upon completion of the grade separation, the existing crossing at grade of Main Street and tracks of The Western Pacific Railroad Company, identified as Crossing No. 4G-10.1 and located approximately 1,000 feet south of the authorized grade separation, shall be abandoned and physically closed."

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In all other respects, Decision No. 81582 shall remain in full force and effect.

The effective date of this order shall be the date hereof.

Dated at San Francisco, California, this 21st
day of AUGUST, 1973.

Vernon L. Starnes
President
William J. Gaudin
William J. Gaudin
[Signature]
Commissioners

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