

ORIGINAL

Decision No. 39597

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
The Atchison, Topeka and Santa Fe)
Railway Company, a corporation, for)
permission to operate freight cars)
of the over-all height of 16 feet)
4 3/4 inches over certain designated)
route in the State of California)

Application No. 27161.

FIRST SUPPLEMENTAL OPINION

The Atchison, Topeka and Santa Fe Railway Company, on September 23, 1946, filed its First Supplemental to Application No. 27161, requesting that Condition (1) of the Order in Decision No. 39122, on the instant Application be amplified to permit operation of its freight cars of an over-all height of 16 feet 4 3/4 inches above the top of the rail to include delivery from applicant's Hobart Yard by the Los Angeles Junction Railway to the Studebaker Pacific Corporation assembly plant located at 4530 Loma Vista Avenue, Vernon, and further requesting that said Decision No. 39122, be modified so as to require stenciling as specified in Condition (5), with letters of a color contrasting with the car body color. The letter of transmittal indicates that copies of this First Supplemental Application were furnished to each of the appearances entered at the hearing in this matter conducted at Los Angeles on January 17 and 25, 1946.

The applicant has filed with the Commission a statement that the number of these high cars, which will be delivered to the said Studebaker Pacific Corporation is estimated at not to exceed one hundred and forty carloads of bodies each month. The

applicant alleges, and an investigation by the Commission's staff substantiates the fact that there are no overhead structures less than 23 feet 5 inches above the top of rail on the route of the Los Angeles Junction Railway Company from Hobart Yard of the applicant to said Studebaker assembly plant.

It appearing that a public hearing is not necessary herein, no protests to the granting of this Application having been filed with the Commission, the Commission being fully informed and the requests of the applicant appearing reasonable, the following Order will be adopted.

FIRST SUPPLEMENTAL ORDER

IT IS HEREBY ORDERED

That Conditions (1) and (5) of the Order in said Decision No. 39122, be and they hereby are amended to read as follows:

- (1) The authorization shall apply only over the following route in California:

From the Topock Bridge at the California-Arizona State Line via Needles, Barstow, San Bernardino, Fullerton, Hobart Yard, thence via Los Angeles Junction Railway to the assembly plant of the Chrysler Corporation or the Studebaker Pacific Corporation and the empty cars to be returned over the same route.

- (5) Each car herein authorized to be operated shall be permanently stenciled or equipped with placards, and such markings maintained in a legible condition adjacent to the ladder or handholds at all four corners approximately 5 feet above the top of rail with letters 3 inches high of a color contrasting with the car body color, reading as follows:

"THIS CAR EXCESS HEIGHT 16 FEET
4 3/4 INCHES ABOVE TOP OF RAIL."

The space occupied by such stenciling shall be outlined with a 3/4 inch stripe of the same color as the letters.

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

Dated at San Francisco, California, this 4th day of

November 1946.

Harold P. Kula
Justin S. Galloway
George J. Brown
Frank H. Kull
A. J. Johnson
COMMISSIONERS