

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of The)
Atchison, Topeka and Santa Fe Railway)
Company and Southern Pacific Company,)
corporations, for permission to operate) Application No. 29051
freight cars of the over-all height of)
16 feet 4-3/4 inches over a certain desig-)
nated route in the State of California.)

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O P I N I O N

The Atchison, Topeka and Santa Fe Railway Company and Southern Pacific Company, on February 2, 1948, filed the above application with the Commission seeking authority to operate freight cars of a height of 16 feet 4-3/4 inches from top of rail to top of running board over a designated route in the State of California specifically described in the application.

The applicants state it will be necessary to place in service approximately two hundred of these freight cars for the transportation of automobile bodies of an internationally known make from Chicago, Illinois to the manufacturer's assembly plant at Mulford, California. The applicants further state that the said freight cars, although having a height of 16 feet 4-3/4 inches from top of rail to top of running board, are of standard width not exceeding the regulations of the Commission.

The Commission's General Order 26-D, effective February 1, 1948, prescribes that minimum overhead clearances between the top of rail and the lowest portion of an overhead structure above the track shall be 22 feet 6 inches. Based on these clearances the carriers in the State of California are authorized to operate freight cars having a height not exceeding 15 feet 6 inches from top of rail to top of running board. However, in the operation of such excess height cars, overhead clearances of 23 feet 5 inches would provide comparable clearances.

In this connection Southern Pacific Company under date of February 5, 1948, furnished the Commission with a statement listing the overhead structures already in place or now under construction with clearances of less than 23 feet 5 inches from top of rail to the underside of the structure above the track on the section of its railroad over which it proposes to operate the excess height cars in California.

The tabulation shows the following:

<u>TYPE OF STRUCTURE</u>	<u>NUMBER OF STRUCTURES</u>	<u>RANGE OF OVERHEAD CLEARANCES</u>
Highway Overpass (Viaduct)	6	From 21'8" to 23'3"
Tunnels	16	From 21'10" to 22'10"
Railroad Overpass	2	21'2" and 22'2"
Creek Bridges	2	22'6" and 23'0"
Signal Bridges	1	22'5"

In addition to the structures referred to, Atchison, Topeka and Santa Fe Railway Company has one signal bridge located between Barstow and Mojave with a clearance of less than 23 feet 5 inches above top of rail.

On February 9, 1948, a conference was had between representatives of the applicants, the Railroad Operating Brotherhoods, and the Commission's Operations and Safety Division. During the conference the Brotherhood representatives stated they have no objection to the granting of the application provided representatives of the Operating and Engineering Departments of the applicants, the Railroad Brotherhoods concerned, and the Commission's staff, make a study as to the operating practicability and the economic feasibility of correcting said clearances under the structures hereinbefore listed and review certain operating conditions in order to place the transportation of the excess height cars on as safe a basis as possible where an overhead clearance of 23 feet 5 inches is not achieved.

Representatives of the applicants were not unfavorable to this study and in addition suggested that the operation of the said excess height cars be conducted under like conditions as specified in the Commission's Decision No. 39122 dated June 18, 1946, in Application No. 27161, to which all the conferees were agreeable. Such studies are now in progress by the Commission's staff and continued consideration will be given thereto in the future.

It appears that a public hearing is not necessary herein and that the application should be granted subject to certain conditions.

O R D E R

IT IS HEREBY ORDERED that The Atchison, Topeka and Santa Fe Railway Company and the Southern Pacific Company are exempted from the provisions of subsection 2.3 of the Commission's General Order 26-D in the operation of freight cars having a height of 16 feet 4-3/4 inches from top of rail to top of running board, for the sole purpose of transporting automobile bodies, subject to the following conditions:

(1) The authorization shall apply only over the following route in California: Entering California on the main line of applicant Santa Fe Railway at Topock, Arizona, thence to Bakersfield, California via Barstow and Mojave. At Bakersfield said freight cars shall be transferred from applicant Santa Fe Railway to applicant Southern Pacific and the route from Bakersfield to Mulford via applicant Southern Pacific lines shall be as follows: Bakersfield to Fresno via Goshen Junction, Fresno to Kerman via Rolinda or Biola Junction, Kerman to Tracy via Los Banos, Tracy to Niles Junction, Niles Junction to Newark and Newark to the manufacturer's Mulford Automobile Assembly Plant, and the said cars shall be returned empty over the same route.

(2) All signal bridges on the lines of both applicants located over the route herein authorized shall be raised so that the lowest point of each structure will not be less than 23 feet 5 inches above top of rail. The alteration of each structure shall be completed before commencing the operation of the said freight cars.

(3) At all locations along the route herein authorized applicants shall maintain adequate "telltails" on either side approaching all structures of less than 23 feet 5 inches above top of rail.

(4) 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 hand-holds at all four corners approximately 5 feet above top of rail, with yellow letters three inches high reading as follows: "THIS CAR EXCESS HEIGHT 16 FEET 4-3/4 INCHES ABOVE TOP OF RAIL."

(5) When any train contains freight cars herein authorized to be operated they shall be blocked in a single unit; and, if the total number of cars in the train permits, cars of such excess height shall be located in the train so as to be at least five cars distant from either the caboose or the engine.

(6) A train order shall be delivered to every train containing freight cars of a height herein authorized to be operated informing the crew that the consist of the train includes freight cars of such excess heights, specifying the total number thereof, and advising that no member of the train crew is required to ride on top of any such freight cars while the train is moving through passing tracks or over the main line between stations.

Any yard crew required to handle freight cars herein authorized to be operated shall be notified through their supervising officials of the presence of such freight cars in said yard.

(8) No member of a road or yard crew shall be required to ride on top of the freight cars herein authorized to be operated.

(9) No new overhead construction on the route herein authorized shall be less than 23 feet 5 inches above top of rail.

(10) The Commission reserves the right to make such further orders relative to overhead clearances and the operation of said cars as it may deem right and proper, and to revoke its permission if in its judgment public convenience, necessity or safety demand such action.

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

Dated at San Francisco, California, this 2nd day of March, 1948.

R. T. [Signature]
Justice F. [Signature]
W. A. [Signature]
Harold T. [Signature]
Samuel [Signature]
Commissioners.