

Decision No. 46936

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of THE ATCHISON, TOPEKA AND SANTA FE RAILWAY COMPANY, a corporation, for permission to operate over certain designated route in the State of California, twenty freight cars of the over-all height of 16 feet 4-3/4 inches, superimposing thereon a cupola at the end-door end of said cars, extending back approximately 11 feet from the end of said cars, 2 feet 9 inches above the present roof thereof, at a maximum width of 2 feet 6 inches at the car roof, tapering to a width of 18 inches at the top of said cupola.

Application No. 33252

O P I N I O N

In its application of March 26, 1952, The Atchison, Topeka & Santa Fe Railway Company has requested authority to operate freight cars having a height of 16 feet 4-3/4 inches from top of rail to top of running board within the State of California over a route specifically described in its application. Applicant states it will be necessary to place in service not less than twenty (20) of these freight cars for the transportation of airplane wing and fuselage assemblies from interchange tracks with the Texas & Pacific Railway Company at either Fort Worth or Sweetwater, Texas, without further transfer or interchange to the Douglas Aircraft Company at El Segundo, California. Said assemblies are of such length and dimension that they cannot be accommodated in cars of less than 16 feet 4-3/4 inches in height. Applicant advises that the superimposing of a cupola at the end-door end of said excess height cars, as described in the title of its application, is not now necessary in the transportation of these war commodities.

Applicant is informed that the transportation of these airplane wing and fuselage assemblies is urgently required in connection with the rearmament program of the Department of Defense of the United States. Consequently, applicant believes it necessary and in the public interest that a suitable exemption from the applicable provisions of General Order No. 26-D be granted applicant to enable it to

furnish such transportation service. Authority to operate such excess height freight cars has heretofore been granted by the Commission over a portion of the route requested between the State Line and Atwood, California, by Decision No. 45461 in Application No. 32166, dated March 13, 1951. Decision No. 39122 in Application No. 27161, dated June 18, 1946, granted the carrier authority for the movement of such excess height freight cars over a portion of the same route from the State Line to Hobart Yard, Los Angeles.

An inspection on the ground of all overhead clearances not complying with the requirements of General Order No. 26-D in the operation of such excess height freight cars has been jointly made by representatives of the Commission's Operation-Safety Division together with a representative of the Railroad Brotherhoods and the Carrier's Operating Department. This survey was made for the purpose of reviewing certain operating conditions in order to place the transportation of the excess height freight cars on as safe a basis as possible where it was not practicable to provide increased clearances as required by said order. Conclusions were reached from this survey which are contained in the subsequent order herein. The State Legislative Representative of the Brotherhood of Railroad Trainmen orally stated that although he recognized that the airplane wing and fuselage assemblies must necessarily be transported in the national defense effort, he would not acquiesce to any such shipments on the grounds that such operations might result in casualties to the rail operating employees he represents.

The Commission accident record does not disclose any casualties due to the operation of excess height cars being operated under the conditions set forth in the previous authorizations mentioned herein. Airplane parts are now awaiting shipment which should not be delayed as they are necessary to the national defense program.

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

O R D E R

IT IS ORDERED that The Atchison, Topeka & Santa Fe Railway Company is exempted from the provisions of Subsections 2.3 and 2.5 of the Commission's General Order No. 26-D in the operation of not more than twenty (20) 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 airplane wing and fuselage assemblies, subject to the following conditions:

1. The authorization granted herein shall apply only over the following described route in California:

Originating at the Topock Bridge adjacent to the California-Arizona State Line, thence over applicant's main line via Needles, Barstow, San Bernardino, Atwood, Fullerton, Hobart and Los Angeles, and thereafter over the Harbor District to the Douglas Aircraft Company plant at El Segundo; and the empty cars to be returned over the same route. In the handling of said cars in Los Angeles, they shall be operated over the main line to applicant's First Street Yard and shall not be operated under any part of the First Street Viaduct in Los Angeles.

2. Applicant shall maintain telldales on either side approaching the following where clearances of less than 23 feet 5 inches above top of rail are now in existence between Hobart and Douglas Aircraft plant at El Segundo:

<u>Type of Structure</u>	<u>M.P.</u>
Steel Truss Bridge A-144 at Redondo Jct.	143 plus 2575
Overhead Highway Bridge A-143 at Los Angeles	142 plus 0109
<u>Overhead Trolley Wires</u>	<u>M.P.</u>
L.A.T.L., Los Angeles	1 plus 0220
P.E. Ry., Los Angeles	2 plus 4260
L.A.T.L., Los Angeles	4 plus 0313
L.A.T.L., Los Angeles	4 plus 4281
L.A.T.L., Los Angeles	5 plus 3000
L.A.T.L., Inglewood	8 plus 2955

3. The overhead trolley wires of the Pacific Electric Railway Company at its rail grade crossing with the Santa Fe Railway at El Segundo (M.P. 14 plus 3245) shall be raised to a clearance of not less than 23 feet 5 inches above the top of the highest Santa Fe Railway 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 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.

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, they shall be located in the train so as to be at least five cars distant from either the caboosc or engine, provided however, that the excess height freight cars herein authorized to be operated may be blocked separately from any other such excess height freight cars heretofore authorized to be operated over portions of the same route herein specified. This condition shall not be construed as authorizing deviation from the single blocking requirements in the movement of such other excess height freight cars the operation of which has been heretofore authorized.

6. Each member of the crew of each train containing freight cars herein authorized to be operated shall be informed by an appropriate train order 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.

7. 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.

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. Copies of the operating bulletins and special instructions governing the operations of the excess height freight cars herein authorized to be operated shall be filed with the Commission within ten (10) days after the date of this order.

10. No new overhead construction between Topock Bridge and El Segundo shall be less than 23 feet 5 inches above top of rail so long as the movement of such excess height freight cars as herein authorized are made.

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

Dated at San Francisco California, this 1st day of April, 1952.

R. T. [Signature] President
James J. [Signature]
Harold P. [Signature]
[Signature]

 Commissioners