

50212

Decision No. \_\_\_\_\_

**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the application of )  
 THE WESTERN PACIFIC RAILROAD COMPANY )  
 for additional time to equip its )  
 rail track motor cars as required )  
 by Sections 7612 and 7613, Public )  
Utilities Code. )

Application No. 35549

ORDER

The Western Pacific Railroad Company on June 25, 1954 filed with the Commission a request for an extension of time of six months from July 1, 1954 within which to comply with the provisions of Section 7612 of the California Public Utilities Code requiring the installation of windshields and other equipment on rail track motor cars. Such authority is sought under Section 7613 of the Code which requires such equipment to be installed by July 1, 1954 but permits carriers subject to its provisions to apply to the Commission for additional time not exceeding one year.

Applicant states that the manufacturers have been unable to make prompt delivery of all the required equipment and devices as designated in Section 7612 and that due to this delay it will be impossible to complete installation on all its rail track motor cars by July 1, 1954. The railroad operating brotherhoods believe that the granting of an extension of time of six months might not be justified and indicate that this should be decided by formal hearing before the Commission. Of the 179 rail track motor cars operated by The Western Pacific Railroad Company in California, 58 have not yet been equipped with the various devices designated in Section 7612. To deny the carrier use of these rail track motor cars until the matter of the six months or a lesser extension of time can be decided by formal hearing would considerably impede the maintenance programs requiring the use of such motor cars. Consequently, a three months extension of time to complete the installation of windshields and other equipment on rail track motor cars will be granted. Therefore,

IT IS ORDERED that the time within which The Western Pacific Railroad Company must comply with the provisions of Section 7612 of the Public Utilities Code is extended to and including September 30, 1954.

The authority herein granted shall become effective on the date hereof.

Dated at San Francisco, California, this 29 day of June, 1954.

Edwin Mitchell President  
Justus J. Caswell  
Deane Higgins

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Commissioners