

Decision No. 50407**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of THE ATCHISON, TOPEKA & SANTA FE
RAILWAY COMPANY, a corporation, and SOUTHERN
PACIFIC COMPANY, a corporation, for permission
to operate freight cars of an overall height of
16'8" over certain designated routes in the
State of California.

Application No. 36079

OPINION

The Atchison, Topeka & Santa Fe Railway Company and Southern Pacific Company, corporations, on November 12, 1954 filed with the Commission a request for authority to operate freight cars with an overall height of 16'8" from the top of rail to the top of running board over certain designated routes in the State of California, specifically described in the application, between the state line near Topock, Arizona, and Hobart Yard, Los Angeles; between Hobart Yard and either Raymer or South Gate, California, in the Los Angeles area; and between the state line near Topock, Arizona, and Melrose, California, in the San Francisco bay area. Such authority is sought for the purpose of transporting automobile bodies to General Motors Corp. assembly plants.

The Commission's General Order No. 26-D provides that the minimum overhead clearance above railroad or street railway tracks shall be not less than 22'6", and further, that such clearance shall apply to the movement of freight cars having a height not exceeding 15'6". Subsection 2.5 of the general order provides that "if freight cars of a height greater than 15'6" are transported or proposed to be transported, minimum overhead clearances shall be increased by an amount not less than such additional height". Consequently, under the provisions of this general order the overhead clearances should be 23'8" in the operation of 16'8" freight cars.

Exhibits A, B and C, attached to the application and made a part thereof, list the overhead clearances of less than 23'8" on the routes over which the 16'8" freight cars are proposed to be transported. Representatives of the applicants, the railroad operating brotherhoods and the Commission's Operations-Safety and Engineering Sections have made a study as to the operating practicability and economic feasibility of a 23'8" clearance at all locations where such clearance is not provided, and have reviewed certain operating conditions in order to place the transportation of the excess height freight cars on as safe a basis as possible

where such overhead clearance can not be achieved. Understandings, as reached on the ground and in subsequent conferences, are contained in the following order.

The carriers state in their application that no movement of freight cars of a height of 16'8" is anticipated by applicants or General Motors Corp. at the present time or in the immediate future to South Gate, California. Furthermore, applicants have stated in writing that the request for the movement of the excess height freight cars to that location is withdrawn. Consequently, that portion of the application referring to this operation will be denied without prejudice.

General Motors Corp. has advised that shipments to be transported are now ready for tendering to the rail carriers and it is its desire to start shipping to the West Coast as quickly as possible. Therefore, the order herein will be made effective as of the date of its issuance.

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

ORDER

IT IS ORDERED that The Atchison, Topeka & Santa Fe Railway Company and Southern Pacific Company are exempted from the provisions of Subsection 2.5 of the Commission's General Order No. 26-D in the operation of freight cars having a height of 16'8" 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 routes in the State of California:

(a) The excess height freight cars consigned to Raymer, California, shall be routed in California on applicant The Atchison, Topeka & Santa Fe Railway Company's main line of railway entering California from Topock, Arizona, to Needles, California, thence via Barstow, San Bernardino, Fullerton and Hobart Yard, Los Angeles, to the Southern Pacific Company's so-called Downey or interchange yard where the said freight cars shall be transferred to applicant Southern Pacific Company for delivery to the consignee at Raymer, California. In the movement between Hobart Yard and Southern Pacific Company's Downey interchange track, applicant The Atchison, Topeka & Santa Fe Railway Company shall confine the operation of the

excess height freight cars herein authorized to the main tracks beneath the Los Angeles First Street viaduct (A-142, M.P. SF141/0420). When said cars are made empty by the consignee they shall be returned to Topock, Arizona, following the same route eastbound as they followed westbound.

(b) The excess height freight cars herein authorized to be operated and consigned to Melrose, California, shall be routed entering California on the main line of applicant The Atchison, Topeka & Santa Fe Railway Company at Topock, Arizona, thence to Bakersfield, California, via Needles, Barstow and Mojave. At Bakersfield the said freight cars shall be transferred from applicant The Atchison, Topeka & Santa Fe Railway Company to applicant Southern Pacific Company and the route from Bakersfield to Melrose via applicant Southern Pacific Company shall be from 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 General Motors Corp. Melrose automobile assembly plant. When said cars are made empty by the consignee they shall be returned to Topock, Arizona, following the same route eastbound as they followed westbound: Applicant The Atchison, Topeka & Santa Fe Railway Company shall restrict the movement of the excess height freight cars involved herein to those tracks in Bakersfield Yard which have a clearance of 23'8" or over above top of rail to the under side of the Oak Street overpass, M.P. SF888:5.

(2) All signal bridges on the lines of both applicants located over the routes herein authorized shall be raised so that the lowest point of each structure will not be less than 23'8" above top of rail.

(3) With the exception of the pedestrian overpass Southern Pacific Company M.P. 479.11, located between Downey interchange yard and Raymer, at all locations along the route herein authorized where the said excess height freight cars are to be operated both applicants shall maintain adequate telltales on either side approaching all structures, tunnels and other overhead obstructions having a clearance of less than 23'8" above top of rail, provided, however, that adequate telltales shall also be placed at appropriate distances in each direction of approach to Dayton Avenue overpass, Los Angeles, Southern Pacific Company M.P. 480.70, over all tracks controlled by Dayton interlocking tower.

(4) By not later than January 15, 1955 the Los Angeles Transit Lines trolley wires, located over the Main Street crossing of the Atchison, Topeka & Santa Fe Railway Company, shall be raised to not less than 23'0" above top of rail and adequate telltales shall be installed at appropriate distances in each direction of approach thereto on The Atchison, Topeka & Santa Fe Railway Company's tracks.

(5) By not later than six months from the effective date of the order herein, the pedestrian overpass, Southern Pacific Company M.P. 479.74, extending over San Fernando Boulevard, Los Angeles, to Southern Pacific Company Taylor Yard office shall be raised so that the lowest point of the structure shall be not less than 23'8" above top of rail. During the interim adequate telltales shall be placed at appropriate distances in each direction of approach over all Southern Pacific Company tracks beneath the structure.

(6) By not later than January 15, 1955 the Metropolitan Coach Lines trolley wires located on Brand Boulevard over Southern Pacific Company's tracks shall be raised to not less than 23'0" above top of rail and adequate telltales shall be installed at appropriate distances in each direction of approach thereto on Southern Pacific Company's tracks.

(7) The operation of the excess height freight cars herein authorized to be operated shall be confined to the Fisher Body Track No. 7 at the General Motors Corp. Raymer plant and all cars and engines shall be brought to a stop not more than 100' nor less than 10' before entering the General Motors Corp. plant building. Train and switch crews shall be prohibited from riding the tops of such excess height cars when placing or entering the General Motors Corp. Fisher Body Track No. 7.

(8) Bulletins shall be issued prohibiting yard or train service employees from riding on the tops of excess height freight cars herein authorized to be operated while movement is being made beneath the Melrose Chevrolet plant conveyors located over Tracks Nos. 3, 5 and 6.

(9) 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' above the top of the rail, with letters of at least 3" high, of a color contrasting with the car-body color, reading as follows: THIS CAR EXCESS HEIGHT 16 FEET 8 INCHES HIGH

ABOVE TOP OF RAIL. In addition there shall be placed after the number on each car the letter "H", to be painted in the same color and of the same size as the numerals or letters in the number.

(10) When any train contains freight cars herein authorized to be operated, such freight cars 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.

(11) 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 number thereof and advising that no member of the train crew is required to ride on top of any such freight cars while train is moving through passing tracks or over the main line between stops.

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

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

(14) No new overhead construction on the route herein authorized shall be less than 23'8" above the top of the rail.

(15) 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.

IT IS FURTHER ORDERED that applicants' request for operation of freight cars of an overall height of 16'8" from the top of rail to the top of running board between The Atchison, Topeka & Santa Fe Railway Company's Hobart Yard, Los Angeles,

and South Gate, California, located on the lines of Southern Pacific Company, is hereby denied without prejudice.

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

Dated at San Francisco, California, this 30th day of NOVEMBER, 1954.

John L. Mitchell
President

Kenneth Patton

James Higgins

Paul L. ...

Commissioners