

Decision No. 52754**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of the State of California,)
 Department of Public Works, for an order)
 authorizing the construction of three)
 crossings at separated grades; six)
 crossings at grade; the abolition of)
 three existing crossings at grade; and)
 one temporary detour crossing at sep-)
 arated grades over the drill tracks, spur)
 tracks and the industrial spur tracks of)
 the Southern Pacific Company, The)
 Atchison, Topeka and Santa Fe Railway)
 Company and The Oakland Terminal Railway,)
 in connection with the construction of)
 State Route IV-Ala-69-Oak, along Cypress)
 Street in the City of Oakland, sometimes)
 referred to as "Cypress Street Viaduct".)

Application No. 37449

O R D E R

The State of California, Department of Public Works, applicant, is authorized to construct State Route IV-Ala-69-Oak (Cypress Street) at separated grades over the industrial track of Southern Pacific Company at 18th Street, the industrial tracks of The Atchison, Topeka and Santa Fe Railway Company at 20th Street and the joint industrial tracks of The Atchison, Topeka and Santa Fe Railway Company and Southern Pacific Company at 26th Street, in the City of Oakland, Alameda County, at the locations shown by Exhibits "A" and "B" attached to the application, to be identified as Crossings Nos. A-6.11-AC, 2K-12.56-AC and A-6.54-AC, respectively. During construction only, applicant is authorized to construct a temporary detour crossing at separated grades over the tracks of The Atchison, Topeka and Santa Fe Railway Company, Southern Pacific Company, and The Oakland Terminal Railway at the location shown by Exhibits "A" and "B" attached to the aforesaid application, to be identified as a portion of Crossing No. 2K-11.63-AC. Construction and maintenance expense shall be borne in accordance with an agreement to be entered into between the parties relative thereto and a copy of said agreement, together with plans of

said crossings, approved by the aforementioned railroads, shall be filed with the Commission within 180 days from the date hereof. Should the parties fail to agree, the Commission will apportion the cost of construction and maintenance by further order. Clearances shall conform to the provisions of General Order No. 26-D. During the period of construction, applicant may deviate from the provisions of General Order No. 26-D to the extent of 20' 0" and 21.7' overhead clearances at the location described in the application, and Southern Pacific Company, The Atchison, Topeka and Santa Fe Railway Company and The Oakland Terminal Railway are authorized to operate with such overhead clearances provided that appropriate notices shall be issued by each carrier advising train or yard crews of the impaired overhead clearances and forbidding them to ride on tops of cars while passing beneath the structures.

Applicant is authorized to construct a southbound frontage road along said State Route IV-Ala-69-Oak (Cypress Street) at grade across industrial tracks of The Atchison, Topeka and Santa Fe Railway Company and Southern Pacific Company at the locations described in the application, to be identified as Crossings Nos. A-6.10-C (18th Street), 2K-12.55-C (20th Street) and A-6.53-C (26th Street) and is authorized to construct a northbound frontage road along said State Route IV-Ala-69-Oak (Cypress Street) at grade across the industrial tracks of the aforesaid railroads at the locations described in the application, to be identified as Crossings Nos. A-6.12-C (18th Street), 2K-12.57-C (20th Street) and A-6.55-C (26th Street). Construction expense of the crossings at grade shall be borne in accordance with an agreement to be entered into between the parties or, if they fail to agree, by further order of the Commission. Applicant shall bear maintenance cost outside of lines two feet outside of rails. The railroads involved shall bear maintenance cost between such lines. Width of crossings and grades of

approach shall be substantially as indicated in the application. Construction shall be equal or superior to Standard No. 2 of General Order No. 72. Protection at each grade crossing shall be by one modified Standard No. 8 flashing light signal equipped with one set of flashing lights mounted on a cantilever arm and with one set of flashing lights mounted on the signal standard.

Upon completion, existing Crossings Nos. A-6.11-C (18th Street), 2K-12.56-C (20th Street) and A-6.54-C (26th Street) shall be abandoned and closed.

Within thirty days after completion pursuant to this order applicant shall so advise the Commission in writing. This authorization shall become void if not exercised within two years unless time be extended or if conditions are not complied with. Applicant has stated that construction work on the portions of the project in the vicinity of the proposed crossings is progressing rapidly and immediate construction of the crossings is contemplated. Therefore, the effective date of this order shall be the date hereof.

Dated at San Francisco, California, this 13th day of March, 1956.

[Signature]
President

Justus J. Calmes

Ray G. Luterer

[Signature]

[Signature]
Commissioners