

Decision No. 67027**ORIGINAL**

## BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of SOUTHERN PACIFIC COMPANY, )  
 a corporation, for permission to operate )  
 open-top freight cars of an overall )  
 height of seventeen (17) feet, no (0) )  
 inches in the State of California. )

Application No. 46275ORDER

Southern Pacific Company, a corporation, on March 11, 1964, filed the above application with the Commission seeking authority to operate open-top freight cars of a maximum height of 17'0" above top of rail to top of car within the State of California. Applicant alleges that these cars have no running boards on top of the cars and that it is therefore impossible for members of train crews to ride on the tops of the cars.

All interested parties, including the railroad operating brotherhoods and Southern Pacific Company, agree that the application should be granted subject to the conditions hereinafter set forth.

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

IT IS ORDERED that Southern Pacific Company is exempted from the provisions of Subsection 2.3 and Subsection 2.5 of the Commission's General Order No. 26-D in the operation of open-top freight cars having a height of 17'0" from top of rail to top of car subject to the following conditions:

1. If train length permits, such cars shall be trained at least five cars distant from the caboose and the engine.

2. Each end of the freight cars herein authorized, for their entire width, shall be painted with aluminum paint from a height of 15'0" above top of rail to the top of the car and shall be stenciled in 3" letters at the upper edge thereof reading: "OPEN-TOP CAR".

The effective date of this order shall be twenty (20) days after the date hereof.

Dated at San Francisco, California, this 31<sup>st</sup> day of March, 1964.

*Paul E. Mitchell* President  
*Everett W. Page*  
*George L. Grover*  
*Fredrick B. Holbeuff* Commissioners

Commissioner William M. Bennett, being necessarily absent, did not participate in the disposition of this proceeding.