

ORIGINAL

Decision No. 69048

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of the State of California,
Department of Public Works, for an order
authorizing construction of a crossing
at separated grades whereby State Route
5 (old Route 2) will be carried over the
tracks of The Atchison, Topeka and Santa
Fe Railway Company in the City of San
Diego, referred to as "Old Town Viaduct".

Application No. 47167

ORDER

State of California, Department of Public Works, in connection with the improvement of State Route 5, (San Diego Freeway) is hereby authorized to construct one crossing at separated grades, over The Atchison, Topeka and Santa Fe Railway Company's main line, to be identified as the "Old Town Viaduct" (Crossing No. 2-264.3-A) in San Diego County, at the location described and in the manner as shown in the application.

Clearances for the separation structure shall be in accordance with the requirements of General Order No. 26-D, except that during the period of construction of the "Old Town Viaduct" a clearance of 21'-9" above top of rail is authorized provided The Atchison, Topeka and Santa Fe Railway Company issues appropriate bulletins to train and enginemen advising them of the temporarily impaired clearance condition and forbidding trainmen to ride on tops of cars while operating beneath the structure.

Construction and maintenance costs shall be borne in accordance with an agreement to be entered into between the parties and a copy of said executed agreement, together with plans approved by The Atchison, Topeka and Santa Fe Railway Company, shall be filed with the

Commission prior to commencement of construction. Should the parties fail to agree, the Commission will apportion the costs by further order.

Within thirty days after completion, pursuant to this order, applicant shall so advise the Commission in writing. This authorization shall expire if not exercised within three years, unless time be extended, or if above conditions are not complied with. Authorization may be revoked or modified if public convenience, necessity or safety so require.

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

Dated at San Francisco, California, this 11th day of MAY, 1965.

[Signature] President
George T. Trover
[Signature]
[Signature] Commissioners

Commissioner Frederick B. Holoboff, being necessarily absent, did not participate in the disposition of this proceeding.