

ORIGINALDecision No. 69423

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of the)
 ATCHISON, TOPEKA AND SANTA FE RAILWAY)
 COMPANY, GREAT NORTHERN RAILWAY COMPANY,)
 McCLOUD RIVER RAILROAD, FEATHER RIVER)
 RAILWAY COMPANY, and THE WESTERN PACIFIC)
 RAILROAD COMPANY for exemption from the)
 requirements of General Order 26-D.)

Application No. 17600**ORDER**

The Atchison, Topeka and Santa Fe Railway Company, Great Northern Railway Company, McCloud River Railroad, Feather River Railway Company and The Western Pacific Railroad Company, corporations, on June 22, 1965, 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. These cars have no running boards on top of the cars and 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 the applicants, agree that the request 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 the Atchison, Topeka and Santa Fe Railway Company, Great Northern Railway Company, McCloud River Railroad, Feather River Railway Company and The Western Pacific Railroad Company are 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 to be operated, for their entire length, 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".
3. In the event a program is initiated to lower ladders and hand brakes on freight cars generally, the cars herein authorized to be operated shall be given priority attention by applicants over cars of less than 15'6" in height above top of rail in any such ladder and hand brake modification program.

Applicants state that there is a fast developing demand for the more extensive use of these cars and request an immediate effective date of this order.

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

Dated at San Francisco, California, this 21st day of JULY, 1965.

President

Arthur E. ...

William ...

George ...

Commissioners

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

Commissioner A. W. Gatev, being necessarily absent, did not participate in the disposition of this proceeding.