

**ORIGINAL**

Decision No. 69710

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 a new City )  
 of San Diego street will be carried )  
 over tracks of The Atchison, Topeka and )  
 Santa Fe Railway Company, in connection )  
 with construction of State Route 5, )  
 referred to as "Mission Bay Drive )  
 Overcrossing". )

Application No. 47730

O R D E R

State of California, Department of Public Works, in connection with the improvement of State Route 5, 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 Mission Bay Drive Overcrossing (Crossing No. 2-263.1-A) in the City of San Diego, at the location described and in the manner as shown in the application.

Clearances shall be in accordance with the requirements of General Order No. 26-D, except that during the period of construction a clearance of not less than 21'0" above top of rail is authorized provided The Atchison, Topeka and Santa Fe Railway Company issue appropriate bulletins to train and engine men 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 the 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 21st day of September, 1965.

Frederick B. Hallock  
President

John E. Zwick

George A. Trover

Augusta

William A. Burch  
Commissioners