

**ORIGINAL**

Decision No. 70998

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 and closure of an  
 existing crossing at grade whereby  
 State Route 33 will be carried over  
 tracks of Southern Pacific Company in  
 Ventura County, referred to as  
 "North Ventura Overhead".

Application No. 48499

O R D E R

State of California, Department of Public Works, in connection with the improvement of State Route 33, is hereby authorized to construct one crossing at separated grades, over the Southern Pacific Company's Ojai Branch, to be identified as the "North Ventura Overhead" (Crossing No. BAE-400.9-A), in the County of Ventura, at the location described and in the manner as shown in the application.

Clearances shall be in accordance with 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 and the Southern Pacific Company is authorized to operate with such reduced overhead clearance provided it issues, and files with the Commission, appropriate bulletins to train and enginemen advising them of the temporarily impaired clearance condition and forbidding trainmen to ride on the 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 Southern Pacific 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.

Upon completion of the "North Ventura Overhead", and its being open to public travel, the existing grade crossing of State Route 33 (Crossing No. BAE-400.9) shall be physically abandoned and closed.

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 19<sup>th</sup> day of JULY, 1966.

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 President  
*George J. Dwyer*  
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*Fredrick E. H. Hoff*  
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*Augustus*  
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*William L. Durand*  
 Commissioners

Commissioner Peter E. Mitchell, being necessarily absent, did not participate in the disposition of this proceeding.