

Decision No. 75553**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of the State of California
 Department of Public Works for an order
 authorizing the widening of an existing
 overhead structure over The Atchison,
 Topeka and Santa Fe Railway Company's
 Barstow to National City main line track,
 one passing track, one lead track, a
 future siding track and a maintenance
 road, commonly referred to as "South
 Tustin Overhead Widening" (Crossing No.
 2-177.39-A).

Application No. 50939
 (Filed March 7, 1969)

O R D E R

State of California Department of Public Works, in connection with the improvement of State Route 55 (Newport Freeway) is hereby authorized to widen the existing South Tustin Overhead in the median and shoulder areas over the tracks of The Atchison, Topeka and Santa Fe Railway Company in the County of Orange, at the location described and in the manner as shown in the application, identified as Crossing No. 2-177.39-A.

Clearances shall be in accordance with the provisions of General Order No. 26-D, except that during the period of construction a clearance of not less than 21' 9" above top of rail is authorized and The Atchison, Topeka and Santa Fe Railway Company is authorized to operate with said reduced overhead clearance provided its rule which prohibits employees from riding on tops of moving cars remains in effect. Applicant shall notify the Commission and the railway at least 15 days but not more than 30 days in advance of the date when the temporarily impaired clearance will be created.

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 railway, shall be filed with the Commission prior to commencement of construction. Should the parties fail to agree, the Commission will apportion the costs of construction and maintenance 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 15th day of APRIL, 1969.

William Lyman Jr.
President

August

John P. Monahan

(11/11/69)

Thomas H. ...
Commissioners