

Decision No. 75672

**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 construction of an over-	)	
head structure to carry two-way traffic	)	Application No. 50974
over the existing track, future track,	)	(Filed March 27, 1969)
and service road of the Southern Pacific	)	
Company, and to abandon the grade cross-	)	
ings at Hammett Road PUC No. B-104.3,	)	
and Toomes-Ciccarelli Road PUC No. B-105.4,	)	
herein referred to as the "Hammett Road	)	
Overhead," in the County of Stanislaus.	)	

O R D E R

The State of California Department of Public Works is hereby authorized to construct a crossing at separated grades of Hammett Road over track of Southern Pacific Company, in the County of Stanislaus, at the location and substantially as shown by plans (Exhibits A and B) attached to the application, to be identified as Crossing No. B-104.8-A. Construction and maintenance expense shall be borne in accordance with an agreement to be entered into between the parties relative thereto, and copy of said agreement, together with plans of said crossing approved by Southern Pacific Company, shall be filed with the Commission within 180 days from the date hereof. Should the parties fail to agree, the Commission will apportion the cost of construction and maintenance by further order.

Clearances shall be in accordance with General Order No. 26-D, except that during the period of construction, a clearance of not less than 21'6" above top of rail is authorized and Southern Pacific Company is authorized to operate with such reduced clearance provided appropriate bulletins are issued, and filed with the

Commission, advising train and engine crews of the temporarily impaired clearance condition and forbidding trainmen to ride on the tops of cars while operating beneath the structure.

Applicant shall notify the Commission and Southern Pacific Company at least 15 days but not more than 30 days in advance of the date when the temporary impaired clearance will be created.

Upon completion of the project Hammett Road and Toomes-Ciccarelli Road (Crossings Nos. B-104.3 and B-105.4, respectively) shall be closed to public use and travel.

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 conditions are not complied with. The effective date of this order shall be twenty days after the date hereof.

Dated at San Francisco, California, this 20<sup>th</sup> day of MAY, 1969.

William J. Lyons, Jr.  
President  
Arthur J. ...  
Robert R. Monissey  
W. H. ...  
...  
Commissioners