

Decision No. 75749

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 construction of an overhead)
at separated grades in the County of)
Orange whereby Oso Parkway will pass)
over the main line of The Atchison,)
Topeka and Santa Fe Railway Company, to)
be referred to as "OSO PARKWAY OVERHEAD.")

Application No. 51029
(Filed April 24, 1969)

O R D E R

State of California Department of Public Works, in connection with the improvement of Interstate 5 (San Diego Freeway) is hereby authorized to construct a crossing at separated grades of Oso Parkway Overhead 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, to be identified as Crossing No. 2-191.7-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' 3" 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 10th day of JUNE, 1969.

William J. ...
President

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Commissioners

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