

ORIGINAL

Decision No. 76074

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of the State of California)	
Department of Public Works for an order)	
authorizing reconstruction of the existing)	Application No. 51204
JAVA OVERHEAD at separated grades over)	(Filed June 30, 1969)
The Atchison, Topeka and Santa Fe Railway)	
Company tracks in San Bernardino County)	
in connection with reconstruction of)	
Interstate 40.)	

ORDER

State of California Department of Public Works, in connection with an improvement project of Interstate Route 40 causing relocation of an intersection with The Atchison, Topeka and Santa Fe Railway Company's main line is hereby authorized to construct a crossing at separated grades, to be identified as the "Java Overhead" (Crossing No. 2-584.9-A), over the tracks of The Atchison, Topeka and Santa Fe Railway Company, near Needles, San Bernardino County, at the location and substantially as shown by plans (Exhibit B) attached to the application.

Clearance shall be in accordance with General Order 26-D, except that during the period of construction a clearance of not less than 21' 6" above the top of rail is authorized and The Atchison, Topeka and Santa Fe Railway Company is authorized to operate with such reduced 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 temporary impaired clearance will be created.

Upon completion, Crossing No. 2-586.6-A located about one and one-half miles westerly (magnetic) of Crossing No. 2-584.9-A herein authorized and being the existing grade separation of Interstate Route 40 on its present alignment with the railroad's main line shall be abolished by physical removal of its separation structure and vehicular approaches.

Construction, abolishment and maintenance expense shall be borne in accordance with an agreement to be entered into between parties relative thereto, and copy of said agreement, together with plans of said crossing, approved by The Atchison, Topeka and Santa Fe Railway Company, shall be filed with the Commission prior to commencing construction. Should the parties fail to agree, the Commission will apportion the cost of construction, abolishment 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 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 26th day of AUGUST, 1969.

William Sproule, Jr.
President
August
W. J. B. Thomas
William J. [unclear]
Thomas [unclear]
Commissioners