

Decision No. 76137**ORIGINAL**

## BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of San Francisco Bay Area )  
 Rapid Transit District for authority )  
 to construct an overcrossing of the )  
 main line tracks of The Western Pacific )  
 Railroad between "H" and "I" Streets )  
 in Union City, County of Alameda, State )  
 of California )

Application No. 51235  
 (Filed July 9, 1969)

**ORDER**

San Francisco Bay Area Rapid Transit District is hereby authorized to construct an overcrossing of the main line tracks of The Western Pacific Railroad Company between "H" and "I" Streets in Union City, County of Alameda, State of California, at the location and substantially as shown by plans (Exhibit "B") attached to the application to be identified as rail over rail crossing at approximately Western Pacific engineering station 731+10 and at approximately BART engineering station 2021+40.

Construction and maintenance costs shall be borne by applicant and a copy of an agreement entered into between the parties and including said provision, together with plans of said crossing approved by The Western Pacific Railroad Company, shall be filed with the Commission within 180 days from the date hereof. Clearances shall conform to the provisions of General Order 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 Western Pacific Railroad Company is authorized to operate with such reduced clearance provided it issues, and files with the Commission, appropriate bulletins to train and engine crews advising them of the temporarily impaired clearance condition and forbidding trainmen to ride on the tops of cars while operating beneath the structure.

Walkway areas adjacent to The Western Pacific Railroad Company tracks shall be maintained free of obstruction and shall promptly be restored to their original condition in the event of damage during construction.

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

Within 30 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 20 days after the date hereof.

Dated at San Francisco, California, the 10th day of SEPTEMBER, 1969.

William J. Quinn  
President  
James J. [unclear]  
[unclear]  
Vernon L. Sturgeon  
Commissioners

Commissioner Thomas Moran, being necessarily absent, did not participate in the disposition of this proceeding.