Decision No. 78402

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 a crossing at separated grades, referred to as South Magunden Overhead, whereby Route 58 will cross over the Arvin Branch line track jointly owned by Southern Pacific Transportation Company and The Atchison, Topeka and Santa Fe Railway Company in the County of Kern.

Application No. 52274 (Filed November 2, 1970)

ORDER

The State Department of Public Works is authorized to construct a crossing at separated grades of State Route 53, over the Arvin Branch Line jointly owned by Southern Pacific Transportation Company and The Atchison, Topeka and Santa Fe Railway Company near Bakersfield, in Kern County, at the location and substantially as shown by plans (Exhibit B) attached to the application, to be identified as Crossing No. BQ-317.5-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 Transportation Company and 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 and maintenance by further order.

Clearances shall be in accordance with General Order
No. 26-D, except that during the period of construction an overhead
clearance of not less than 21' 0" above top of rail is authorized
and Southern Pacific Transportation Company and The Atchison,
Topeka and Santa Fe Railway Company are authorized to operate with
such reduced overhead clearances provided that instructions are

issued by the railroads and filed with the Commission forbidding employees to ride on tops of cars.

The applicant shall notify the Commission, Southern Pacific Transportation Company and The Atchison, Topeka and Santa Fe Railway Company at least 15, but not more than 30 days in advance of the date when the temporary overhead impaired clearance will be created.

Walkway areas adjacent to the jointly-owned Southern
Pacific Transportation Company and The Atchison, Topeka and Santa Fe
Railway Company track shall be maintained free of obstructions and
shall promptly be restored to their original condition in the event
of damage during construction.

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.

	Dat	:ed	at	Sar	Francisco	·	California,	this	9sch
day	of		MARCH	 ,	1971.		\sim		
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Chairman

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Commissioners

Commissioner William Symons, Jr., being necessarily absent, did not participate in the disposition of this proceeding.