

Decision No. 78955

ORIGINAL

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

In the Matter of the Application  
 of THE CITY OF SAN DIEGO, a  
 municipal corporation, to widen  
 Miramar Road bridge over the tracks  
 of The Atchison, Topeka and Santa  
 Fe Railway Company's Right-of-Way. }

Application No. 52664  
 (Filed June 4, 1971)

O R D E R

City of San Diego is hereby authorized to widen the existing grade separation of Miramar Road (Crossing No. 2-252.9-A) over the tracks of The Atchison, Topeka and Santa Fe Railway Company, in the City of San Diego, San Diego County, at the location and substantially as shown by plans (Exhibits A, B and C) attached to the application.

Grade separation for Miramar Road has been established as Priority No. 12 by Decision No. 78134 in Case No. 9095, pursuant to Statutes 1957, Chapter 2091, Amended Statutes 1959, Chapter 1763.

Construction and maintenance expenses 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 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 during the period of construction a vertical

clearance of not less than 21' 9" above top of rail is authorized and The Atchison, Topeka and Santa Fe Railway Company is authorized to operate with such reduced clearance provided that instructions are issued by the railway and filed with the Commission forbidding employees to ride on tops of cars beneath the structure.

Applicant shall notify the Commission and The Atchison, Topeka and Santa Fe Railway Company at least fifteen days but not more than thirty days in advance of the date when the temporary impaired clearance will be created.

Walkway areas adjacent to The Atchison, Topeka and Santa Fe Railway Company's track shall be maintained free of obstructions and shall be promptly 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 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 27th day of JULY, 1971.

William L. Holmes Chairman  
James L. Stinson

Commissioners

Commissioner J. P. Vukasin, Jr., being necessarily absent, did not participate in the disposition of this proceeding.

-2- Commissioner D. W. Holmes, being necessarily absent, did not participate in the disposition of this proceeding.