

**ORIGINAL**

Decision No. 79202

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 two crossings at separated grades, whereby State Route 99 is carried over the tracks of the Tidewater Southern Railway and the Southern Pacific Transportation Company; the construction of a new crossing at grade; the alteration and improvement of an existing crossing at grade; the installation of automatic protection at an existing crossing at grade and the abandonment of an existing crossing at grade in Stanislaus County, commonly referred to as West Turlock Overhead and North Turlock Overhead.)

Application No. 52448  
(Filed Feb. 16, 1971)  
(Amended Feb. 26, 1971)

I N T E R I M   O R D E R

State of California Department of Public Works is hereby authorized to construct the following crossings as substantially shown by plans (Exhibit B) attached to the application over the Southern Pacific Transportation Company (SPT) and the Tidewater Southern Railway Company (TSR) in and near Turlock, Stanislaus County:

<u>Crossing No. and Street</u>	<u>Work to be Done</u>	<u>Minimum Width</u>	<u>Protection (General Order No. 75-B)</u>	<u>Railroad</u>
B-122.65-A State Rte. 99	Construct Grade Separation	-	-	SPT
75C-4.85-A State Rte. 99	Construct Grade Separation	-	-	TSR
B-123.6 Monte Vista Ave.	Reconstruct crossing at grade	24'	Two Standard No. 8 flashing light signals supplemented with automatic gate arms	SPT

<u>Crossing No. and Street</u>	<u>Work to be Done</u>	<u>Minimum Width</u>	<u>Protection (General Order No. 75-B)</u>	<u>Railroad</u>
75C-4.9 Walnut Ave.	Reconstruct crossing at grade	24'	Two Standard No. 8 flashing light signals supplemented with automatic gate arms.	TSR
75C-4.8 Frontage Rd.	Construct crossing at grade	24'	Two Standard No. 8 flashing light signals supplemented with automatic gate arms.	TSR
B-121.5 Washington Ave.	Close crossing	-	-	SPT

Construction and maintenance expense for the crossings at separated grade shall be borne in accordance with an agreement to be entered into between the parties relative thereto, and copy of said agreements, together with plans of said crossings approved by the affected railroad company, shall be filed with the Commission prior to commencing construction.

For the crossings at grade the installation cost of the automatic crossing protection and the crossing construction expense may be borne in accordance with the agreement entered into between the parties, or if they fail to agree, by further order of the Commission. The crossing construction shall be equal or superior to Standard No. 2 of General Order No. 72 and the grades of approach shall not be greater than three percent. The maintenance cost of the automatic crossing protection shall be divided equally between the applicant and the affected railroad for Crossings Nos. B-123.6 and 75C-4.9 (Monte Vista Avenue and Walnut Avenue, respectively) and borne 100% by applicant for Crossing No. 75C-4.8 (Frontage Road). The maintenance cost of the crossings outside of lines two feet outside of rails shall be borne by the applicant. The affected railroad shall bear maintenance cost of the crossings between such lines.

This freeway project proposes to construct a highway interchange adjacent to the Taylor Road crossing of the Southern Pacific Transportation Company's tracks, Crossing No. B-122.2. The parties are not in agreement as to what protection should be installed at this crossing or as to the apportionment of cost of any automatic protection to be installed. The type of protection and the apportionment of cost will be determined after hearing by further order of this Commission.

Clearances shall be in accordance with General Order No. 26-D, except that during construction of the West Turlock Overhead over the Tidewater Southern Railway track, a temporary overhead clearance of not less than 20'0" is authorized and during construction of the North Turlock Overhead over Southern Pacific Transportation Company's track, a temporary overhead clearance of 21'6" is authorized. The Tidewater Southern and Southern Pacific Transportation Company are authorized to operate with such reduced overhead clearances over their respective tracks provided 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 and the affected railroads at least 15 but not more than 30 days in advance of the date when the temporary impaired clearances will be created.

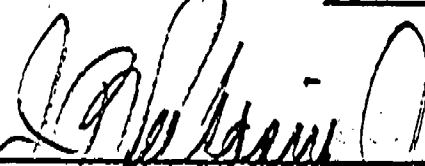
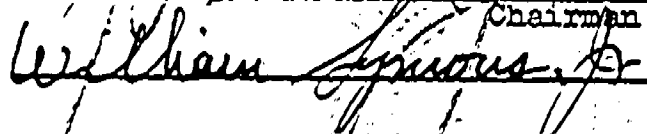


Walkway areas adjacent to the railroad tracks in the area of the grade separation construction shall be maintained free of obstructions and shall promptly be restored to their original condition in the event of damage during construction. Within the area of the grade crossing construction, walkways for a distance of

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6' from the rail on both sides of the track shall provide a reasonable regular surface with gradual slope not to exceed 1" vertical to 8" horizontal in all directions of approach in accordance with the provisions of General Order No. 118.

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 5th day of OCTOBER, 1971.

  
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Chairman  
  
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Commissioners

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