

Decision No. 81177

**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, to be  
known as Rochester Overhead, over the  
tracks of The Atchison, Topeka and  
Santa Fe Railway Company, in connection  
with the construction of a portion  
of Route 31 Freeway in San Bernardino  
County.

Application No. 53799  
(Filed January 22, 1973)

O R D E R

State of California Department of Public Works is hereby authorized to construct a crossing at separated grades of Rochester Overhead over the tracks of The Atchison, Topeka and Santa Fe Railway Company in the County of San Bernardino, at the location and substantially as shown by plans (Exhibit B) attached to the application, to be identified as Crossing No. 2-94.9-A.

Construction and maintenance expenses shall be borne in accordance with an agreement to be entered into between the parties relative thereto, and a 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 that during the period of construction a clearance of not less than 20'6" above top of rail is authorized and The Atchison, Topeka and Santa Fe Railway Company is authorized to operate with such reduced overhead clearances provided that instructions are issued by the railway and filed with the Commission forbidding the employees to ride on tops of cars. The applicant shall notify the Commission 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 impaired clearance will be created. Walkway areas adjacent to the railroad 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 the time be extended or if 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 20th day of MARCH, 1973.

Vernon L. Stinson  
President  
William J. Moran  
J. J. Moran  
Thomas Moran  
Commissioners

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