

Decision No. 81189

**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of )  
the COUNTY OF SAN DIEGO to Reconstruct )  
an Overhead of the Tracks of the )  
ATCHISON, TOPEKA AND SANTA FE RAILWAY )  
COMPANY at Via de la Valle, Solana )  
Beach (Crossing No. 2-242.7-A )

Application No. 53769  
(Filed December 27, 1972)

O R D E R

The County of San Diego is hereby authorized to reconstruct the existing Via de la Valle grade separation over The Atchison, Topeka and Santa Fe Railway Company's tracks in the County of San Diego, at the location described and in the manner as shown in the application, identified as Number 2-242.7-A.

The priority list of grade separation projects for the year 1973 as set forth in Decision 80874 shows this project as Priority 30.

Clearances shall be in accordance with General Order No. 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 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.

Construction and maintenance costs shall be borne in accordance with an agreement to be entered into between the County

of San Diego and The Atchison, Topeka and Santa Fe Railway Company and a copy of said executed agreement, together with plans approved by the railway, shall be filed with the Commission prior to commencement of construction. Should the parties fail to agree, the Commission will apportion the costs by further order.

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 the 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 the date hereof.

Dated at Los Angeles, California, this 27<sup>th</sup> day of MARCH, 1973.

Vernon L. Stevens  
President  
William J. Lyons, Jr.  
J. B. [unclear]  
[unclear]  
[unclear]  
Commissioners