

Decision No. 81452**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 cross-)
 ing at separated grades, to be known as)
 Avenue 18½ Overhead, over the tracks)
 of the Southern Pacific Transportation)
 Company, in connection with the improve-)
 ment of Route 99 to freeway standards,)
 4.5 miles northwest of the north city)
 limit of the City of Madera, Madera)
 County.)

Application No. 53886
 (Filed March 12, 1973)

O P I N I O N

The State of California Department of Public Works requests authority to construct a crossing at separated grades of Avenue 18½ over the tracks of the Southern Pacific Transportation Company near the City of Madera in the County of Madera. Notice of the application was published in the Commission's daily calendar on March 13, 1973. No protests have been received. A public hearing is not necessary.

FINDINGS AND CONCLUSIONS

The request is in the public interest and should be granted. The State of California Department of Public Works should be authorized to construct Avenue 18½ at separated grades over the Southern Pacific Transportation Company's tracks near the City of Madera, County of Madera, at the location described in the application to be identified as Crossing B-178.42-A.

Clearances should 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 should be authorized and Southern Pacific Transportation Company should be authorized to operate with such reduced overhead clearances provided that

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

The applicant should notify the Commission and the affected railroad at least fifteen but not more than thirty days in advance of the date when the temporarily impaired clearances will be created.

Walkway areas adjacent to the railroad tracks should be maintained free of obstructions and should promptly be restored to their original condition in the event of damage during construction.

Construction and maintenance expenses should be borne in accordance with an agreement entered into between the parties relative thereto, and a copy of said agreement, together with plans of said crossing approved by the Southern Pacific Transportation Company should be filed with the Commission prior to commencing construction. The applicant is the lead agency for this project pursuant to the California Environmental Quality Act of 1970, as amended.

O R D E R

IT IS ORDERED that:

1. The application is granted conditioned on the findings and conclusions set forth above.
2. Within thirty days after completion, pursuant to this order, applicant shall so advise the Commission in writing.

This authorization shall expire if the above conditions are not complied with or if the work is not completed within three years. Authorization may be revoked, modified or time extended 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 12th day of JUNE, 1973.

Hermon L. Strickman
President
William Lyons, Jr.

Alfred M. ...
Ed ...
Commissioners

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