

Decision No. 82473**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of the State of California,
Department of Transportation, for an
order authorizing the construction of a
crossing at separated grades to be
known as Bakersfield Corral Overhead,
Bridge No. 50-383 R/L, to carry Route
58 freeway traffic over the Southern
Pacific Transportation Company's
Buttonwillow Branch Line track, in the
City of Bakersfield, Kern County.

Application No. 54432
(Filed November 5, 1973)

O P I N I O N

The State of California Department of Transportation requests authority to construct a crossing at separated grades of Route 58 Freeway over the tracks of the Southern Pacific Transportation Company in the City of Bakersfield in the County of Kern. Notice of the application was published in the Commission's daily calendar on November 8, 1973. No protests have been received. A public hearing is not necessary.

FINDINGS AND CONCLUSIONS

1. The request is in the public interest and should be granted. The State of California Department of Transportation should be authorized to construct Route 58 Freeway at separated grades over the Southern Pacific Transportation Company's tracks in the City of Bakersfield, County of Kern, at the location described in the application to be identified as Crossing BT-315.44-A.

2. 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.

3. The applicant should notify the Commission and the Southern Pacific Transportation Company at least fifteen but not more than thirty days in advance of the date when the temporary impaired clearances will be created.

4. 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.

5. Construction and maintenance expenses should be borne in accordance with the fully executed agreement with attached plans entered into between the parties relative thereto which has been filed with the Commission.

6. The applicant is the lead agency for this project pursuant to the California Environmental Quality Act of 1970, as amended, and it is held by the applicant and the Commission that this project was too far advanced pursuant to Section 15070(b) of the State of California Administrative Code that an Environmental Impact Report is not required under the California Environmental Quality Act. ✓

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.

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The effective date of this order shall be twenty days after the date hereof.

Dated at San Francisco, California, this 13th day of FEBRUARY, 1974.

Vernon L. Stinson
President

William J. Quinn
William L.

William L.

William L.
Commissioners