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BEFORE THE ARIZONA CORPORATION COMMISSION

25H

COMMISSIONERS

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Arizona Corporation Commission

DOCKETED

MARC SPITZER, Chairman
WILLIAM A. MUNDELL
JEFF HATCH-MILLER
MIKE GLEASON
KRISTINE K. MAYES

2004 JUN -3 A 8:16

JUN - 3 2004

AZ CORP COMMISSION
DOCUMENT CONTROL

DOCKETED BY [Signature]

IN THE MATTER OF THE APPLICATION OF
THE ARIZONA DEPARTMENT OF
TRANSPORTATION TO UPGRADE A
CROSSING OF THE UNION PACIFIC
RAILROAD AT 10th STREET, IN THE CITY OF
PHOENIX, MARICOPA COUNTY, ARIZONA,
AAR/DOT NO. 916-290-T.

DOCKET NO. RR-03639A-04-0377

PROCEDURAL ORDER

BY THE COMMISSION:

On May 20, 2004, the Arizona Department of Transportation ("ADOT") filed with the Arizona Corporation Commission ("Commission") a request for approval for the Union Pacific Railroad ("Railroad") to upgrade a crossing at 10th Street in Phoenix, Arizona at AAR/DOT No. 916-290-T.

IT IS THEREFORE ORDERED that the request of the Arizona Department of Transportation shall be considered an application for the Railroad to construct a new public railroad crossing pursuant to A.R.S. § 40-337, et seq.

IT IS FURTHER ORDERED that the Railroad shall be considered as the Respondent in this proceeding.

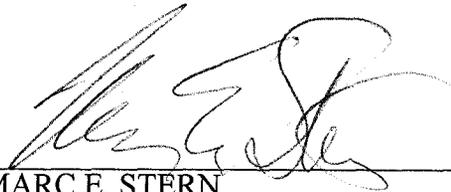
IT IS FURTHER ORDERED that the hearing on the application shall be held on June 24, 2004 at 2:00 p.m., or as soon thereafter as is practical, at the Commission's offices, 1200 West Washington Street, Phoenix, Arizona.

IT IS FURTHER ORDERED that within five business days of receipt of this Procedural Order, the Arizona Department of Transportation shall provide the Railroad and the City of Phoenix and any other municipality or interested party that may be affected by the application with a copy of the application and this Procedural Order by certified mail.

...

1 IT IS FURTHER ORDERED that the ARIZONA DEPARTMENT OF
2 TRANSPORTATION SHALL FILE WITH THE COMMISSION'S DOCKET CONTROL AN
3 ORIGINAL AND THIRTEEN (13) COPIES OF PROOF OF COMPLIANCE with this
4 Procedural Order concurrently with the mailing of notice ordered herein.

5 DATED this 7th day of June, 2004.


MARC E. STERN
ADMINISTRATIVE LAW JUDGE

9 Copies of the foregoing mailed/delivered
10 this 7 day of June, 2004 to:

11 John Syers
12 Railroad Engineering Coordinator
13 Arizona Department of Transportation
14 205 S. 17th Avenue, Mail Drop 618E
15 Phoenix, AZ 85007

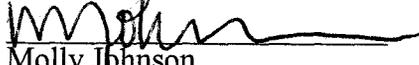
16 David Gibson
17 Arizona Department of Transportation
18 Traffic Records Section
19 206 S. 17th Avenue, Mail Drop 064R
20 Phoenix, AZ 85007

21 Freddy Chung
22 UNION PACIFIC RAILROAD COMPANY
23 19100 Slover Avenue
24 Bloomington, California 92316

25 Christopher Kempley, Chief Counsel
26 Legal Division
27 ARIZONA CORPORATION COMMISSION
28 1200 West Washington Street
Phoenix, Arizona 85007

Ernest Johnson, Director
Utilities Division
ARIZONA CORPORATION COMMISSION
1200 West Washington Street
Phoenix, Arizona 85007

ARIZONA REPORTING SERVICE, INC.
2627 North Third Street, Ste. Three
Phoenix, AZ 85004-1103

27 By: 
28 Molly Johnson
Secretary to Marc Stern