



ORIGINAL

Arizona Department of Transportation
Intermodal Transportation Division

206 South Seventeenth Avenue Phoenix, Arizona 85007-3213



0000009052

Victor M. Mendez
Director

June 10, 2004

Debra R. Brisk
Deputy Director

Mr. Robert LaCivita
Executive Vice President
Grand Canyon Railway & Resort
1201 West Route 66, Suite 200
Flagstaff, Arizona 86001

Certified Mail Receipt No.
7002 03150 0003 9223 4955

RE: TRACS No. 0940 CN CCN SR183 01C
Project No. STP-000-6(163)P
RAIL/HIGHWAY SAFETY PROGRAM
Pronghorn Ranch Road (Coconino Co.)
Grand Canyon Railway & Resort
AAR/DOT No: 025-962-K
Agreement No. 2385-02-GCR
ACC Docket No. RR-02637A-04-0376

RECEIVED
2004 JUN 17 P 3:37
AZ CORP COMMISSION
DOCUMENT CONTROL

Dear Mr. LaCivita:

In accordance with the requirements of the Procedural Order of the Arizona Corporation Commission, we are enclosing for your information a copy of our request for an Opinion and Order and a copy of the Corporation Commission's Procedural Order. This will serve as your notice of a scheduled hearing with respect to the subject project.

Sincerely,

John Syers, Railroad Engineering Coordinator
Utility & Railroad Engineering Section
205 South 17th Ave, RM 357, MD 618E
Phoenix, AZ 85007-3212
(602) 712-7541

Arizona Corporation Commission
DOCKETED

JUN 17 2004

DOCKETED BY

encl.

cc: ACC



2001 Award Recipient



Arizona Department of Transportation

Office of the Director

206 South Seventeenth Avenue Phoenix, Arizona 85007-3713

Janet Napolitano
Governor

Victor M. Mendez
Director

Debra R. Brisk
Deputy Director

May 13, 2004

Railroad Safety Supervisor
Arizona Corporation Commission
1210 West Washington
Phoenix, Arizona 85007

RE: TRACS No. 0940 CN CCN SR183 01C
Project No. STP-000-6(163)P
RAIL/HIGHWAY SAFETY PROGRAM
Pronghorn Ranch Road (Coconino Co.)
Grand Canyon Railway & Resort
AAR/DOT No: 025-962-K

Dear Mr. Thompson:

Please furnish our office with an Opinion and Order to cover the installation of Signals described in the subject agreement. An agreement covering the work has been signed by the Railroad Company. A copy is attached for your information and files.

After we receive the Opinion and Order, we will send you a copy of our letter authorizing the Railroad to proceed with the work.

Sincerely,


John Syers, Railroad Engineering Coordinator
Utility & Railroad Engineering Section
205 South 17th Ave, RM 357, MD 618E
Phoenix, AZ 85007-3212
(602) 712-7541

Attachment



BEFORE THE ARIZONA CORPORATION COMMISSION

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COMMISSIONERS

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

JUN 07 2004

UTILITY & RAILROAD
ENGINEERING SVCS.

2004 JUN -3 A 8:15

AZ CORP COMMISSION
DOCUMENT CONTROL

IN THE MATTER OF THE APPLICATION OF
THE ARIZONA DEPARTMENT OF
TRANSPORTATION TO UPGRADE A
CROSSING OF THE GRAND CANYON
RAILWAY AT PRONGHORN RANCH ROAD, IN
COCONINO COUNTY, ARIZONA, AAR/DOT NO.
025-962-K.

DOCKET NO. RR-02637A-04-0376

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 Grand Canyon Railway ("Railroad") to upgrade a crossing at Pronghorn Ranch Road, Arizona at AAR/DOT No. 025-962-K.

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 Coconino County 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 3rd day of June, 2004


6
7 MARC E. STERN
8 ADMINISTRATIVE LAW JUDGE

9 Copies of the foregoing mailed/delivered
this 3 day of June, 2004 to:

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

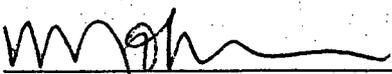
13 David Gibson
14 Arizona Department of Transportation
15 Traffic Records Section
206 S. 17th Avenue, Mail Drop 064R
Phoenix, AZ 85007

16 Robert Lacivita
17 Grand Canyon Railway
1201 West Route 66, Ste. 200
18 Flagstaff, AZ 86001

19 Christopher Kempley, Chief Counsel
Legal Division
20 ARIZONA CORPORATION COMMISSION
1200 West Washington Street
Phoenix, Arizona 85007

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

24 ARIZONA REPORTING SERVICE, INC.
25 2627 North Third Street, Ste. Three
26 Phoenix, AZ 85004-1103

27 By: 
28 Molly Johnson
Secretary to Marc Stern