

ORIGINAL



0000009056



Arizona Department of Transportation  
Office of the Director

206 South Seventeenth Avenue Phoenix, Arizona 85007-3713

Janet Napolitano  
Governor

Victor M. Mendez  
Director

June 10, 2004

Debra R. Brisk  
Deputy Director

Mr. James H. Smith  
Manager Industry & Public Projects  
Union Pacific Railroad Company  
10031 Foothills Boulevard  
Roseville, California 95747

Certified Mail Number  
7002 3150 0003 9223 4887

RE: TRACS No. 0940 MA PHX SR173 01C  
Project No. STP-000-6(154)P  
RAIL/HIGHWAY SAFETY PROGRAM  
10<sup>th</sup> Street (Phoenix)  
Union Pacific Railroad Company  
AAR/DOT No. 916-290-T  
Agreement No. 1532-91-SPTC  
ADOT Accounting No. R1532BD01  
ACC Docket No. RR-03639A-04-0377

RECEIVED  
2004 JUN 17 P 3:40  
AZ CORP COMMISSION  
DOCUMENT CONTROL

Dear Mr. Smith:

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 MA PHX SR173 01C  
Project No. STP-000-6(154)P  
RAIL/HIGHWAY SAFETY PROGRAM  
10<sup>th</sup> Street (Phoenix)  
Union Pacific Railroad Company  
AAR/DOT No. 916-290-T

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



2001 Award Recipient

1 BEFORE THE ARIZONA CORPORATION COMMISSION

2 COMMISSIONERS

RECEIVED

RECEIVED

3 MARC SPITZER, Chairman  
4 WILLIAM A. MUNDELL  
5 JEFF HATCH-MILLER  
6 MIKE GLEASON  
7 KRISTINE K. MAYES

2004 JUN -3 A 8:17

JUN 07 2004

AZ CORP COMMISSION  
DOCUMENT CONTROL

UTILITY & RAILROAD  
ENGINEERING SVCS.

8 IN THE MATTER OF THE APPLICATION OF  
9 THE ARIZONA DEPARTMENT OF  
10 TRANSPORTATION TO UPGRADE A  
11 CROSSING OF THE UNION PACIFIC  
12 RAILROAD AT 10<sup>th</sup> STREET, IN THE CITY OF  
13 PHOENIX, MARICOPA COUNTY, ARIZONA,  
14 AAR/DOT NO. 916-290-T.

DOCKET NO. RR-03639A-04-0377

PROCEDURAL ORDER

15 **BY THE COMMISSION:**

16 On May 20, 2004, the Arizona Department of Transportation ("ADOT") filed with the  
17 Arizona Corporation Commission ("Commission") a request for approval for the Union Pacific  
18 Railroad ("Railroad") to upgrade a crossing at 10<sup>th</sup> Street in Phoenix, Arizona at AAR/DOT No. 916-  
19 290-T.

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

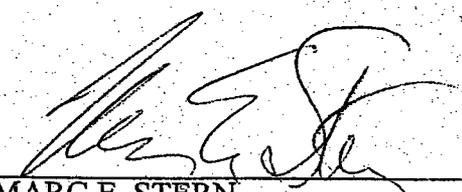
23 IT IS FURTHER ORDERED that the Railroad shall be considered as the Respondent in this  
24 proceeding.

25 IT IS FURTHER ORDERED that the hearing on the application shall be held on June 24,  
26 2004 at 2:00 p.m., or as soon thereafter as is practical, at the Commission's offices, 1200 West  
27 Washington Street, Phoenix, Arizona.

28 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 7<sup>th</sup> day of June, 2004.

6  
7  
8   
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. 17<sup>th</sup> Avenue, Mail Drop 618E  
15 Phoenix, AZ 85007

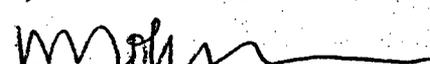
16 David Gibson  
17 Arizona Department of Transportation  
18 Traffic Records Section  
19 206 S. 17th Avenue, Mail Drop 064R  
20 Phoenix, AZ 85007

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