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BEFORE THE ARIZONA CORPORATION COMMISSION

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COMMISSIONERS

Arizona Corporation Commission

DOCKETED

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

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SEP 16 2004

AZ CORP COMMISSION  
DOCUMENT CONTROL

DOCKETED BY CAR

IN THE MATTER OF THE APPLICATION OF  
THE ARIZONA DEPARTMENT OF  
TRANSPORTATION TO UPGRADE AN  
EXISTING CROSSING OF THE BURLINGTON  
NORTHERN AND SANTA FE RAILWAY AT  
NORTHERN AVENUE, IN THE CITY OF  
GLENDALE, MARICOPA COUNTY, ARIZONA,  
AT AAR/DOT NO. 025-413-R2.

DOCKET NO. RR-02635B-04-0656

PROCEDURAL ORDER

BY THE COMMISSION:

On September 9, 2004, the Arizona Department of Transportation ("ADOT") filed with the Arizona Corporation Commission ("Commission") a request for approval for the Burlington Northern and Santa Fe Railway Company ("Railroad") to upgrade an existing crossing at the Railroad's tracks at Northern Avenue in Glendale, Arizona, at AAR/DOT No. 025-413-R2.

IT IS THEREFORE ORDERED that the request of ADOT shall be considered an application for the Railroad to upgrade an existing 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.

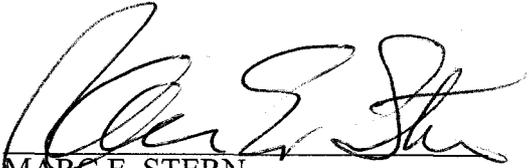
IT IS FURTHER ORDERED that the hearing on the application shall be held on October 6, 2004, at 9:30 a.m., or as soon thereafter as is practical, at the Commission's offices, 1200 West Washington Street, Phoenix, Arizona.

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 Glendale 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.

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...

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 16<sup>th</sup> day of September, 2004.

  
MARC E. STERN  
ADMINISTRATIVE LAW JUDGE

8 Copies of the foregoing mailed/delivered  
9 this 14 day of September, 2004 to:

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

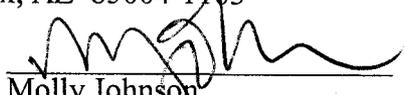
15 Colleen Deines, Manager  
16 Public Projects  
17 BNSF  
18 740 East Carnegie Drive  
19 San Bernardino, CA 92408

20 David Gibson  
21 ADOT  
22 Traffic Records Section  
23 206 S. 17<sup>th</sup> Avenue, MD-064R  
24 Phoenix, AZ 85007

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

By:   
Molly Johnson  
Secretary to Marc Stern