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BEFORE THE ARIZONA CORPORAT

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COMMISSIONERS
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Arizona Corporation Commission

DOCKETED

SEP 30 2004

DOCKETED BY

AZ CORP COMMISSION
DOCUMENT CONTROL

2004 SEP 30 P 1:54

RECEIVED

IN THE MATTER OF THE APPLICATION OF
THE CITY OF PHOENIX TO UPGRADE A
CROSSING OF THE BURLINGTON
NORTHERN AND SANTA FE RAILWAY
COMPANY, AT 35TH AVENUE, PHOENIX,
ARIZONA, M.P. 188.23.

DOCKET NO. RR-02635B-01-0374

**MOTION TO VACATE
DECISION NO. 63933**

Decision No. 63933 orders the Burlington Northern and Santa Fe Railway Co. (BNSF) to upgrade a crossing at 35th Avenue and Grand Avenue in Phoenix, Arizona. This decision was based upon an application by the City of Phoenix and the City's agreement to pay for the project. The City of Phoenix no longer desires to participate in this project. See attached letters from Ms. Fritschi of the City. Therefore, Staff moves that Decision No. 63933 be vacated.

RESPECTFULLY SUBMITTED this 30th day of September 2004.

Timothy J. Sabo
Attorney, Legal Division
Arizona Corporation Commission
1200 West Washington Street
Phoenix, Arizona 85007
(602) 542-3402

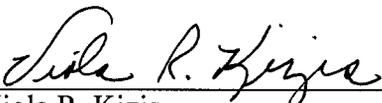
1 The original and thirteen (13) copies of the foregoing
2 were filed this 30th day of September 2004 with:

3 Docket Control
4 Arizona Corporation Commission
5 1200 West Washington Street
6 Phoenix, Arizona 85007

7 Copies of the foregoing were mailed this
8 30th day of September 2004 to:

9 Laura Fritschi
10 Project Manager/Street Transportation Department
11 200 West Washington Street, Floor 5
12 Phoenix, Arizona 85003

13 Colleen Deines
14 Project Engineer
15 BNSF Railway Company
16 1624 First Street NW
17 Albuquerque, NM 87102-1538

18 
19 _____
20 Viola R. Kizis
21 Secretary to Timothy J. Sabo

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City of Phoenix

STREET TRANSPORTATION DEPARTMENT
DESIGN AND CONSTRUCTION MANAGEMENT DIVISION

September 2, 2004

Mr. Starkey
Railroad Safety
Arizona Corporation Commission
1200 W. Washington
Phoenix, Arizona 85007

Re: Indian School Road, Grand Avenue Bottleneck Project, ST89310065
Docket No. RR-02635B-01-0374.

Dear Mr. Starkey,

The above referenced project regarding the proposed widening of the northbound lane of 35 Avenue by 8 to 10 feet at the Railroad tracks has been cancelled since August 2001 due to the Railroads fees and costs required to construct over their tracks.

Thank you for all your assistance in the Mr. Starkey and I apologize for taking so long since you call last month to send this letter off. Hope this helps in closing out your file. If you should have any questions, please call me at 602-534-2072.

Sincerely,

Laura Fritschi
Project Manager



NEW APPLICATION

City of Phoenix

STREET TRANSPORTATION DEPARTMENT

RECEIVED
AZ-CORP COMMISSION

MAY 2 2 13 PM '01

DOCUMENT CONTROL

May 2, 2001

Mr. Starkey
Railroad Safety
Corporation Commission
1200 W. Washington
Phoenix, Arizona 85007

DOCKET NO.: R R-02635B-01-0374

Re: Indian School Road, Grand Avenue Bottleneck Project, ST89310065

Dear Mr. Starkey,

In regards to the above referenced project, I am writing to you to make an application for a hearing regarding the changes to the Railroad tracks crossing on the Southeast side of 35th Avenue. We will be adding 8 to 10 feet of additional paving crossing the tracks in the northbound lane. This will require the relocation of the RR light on the northbound lane side approximately 8 to 10 feet. We have sent our geometrics to the Burlington, Northern and Santa Fe Railroad for initiating the design process. Once we achieve the 30% phase we will continue with sending the plans to the RR and requesting design for the light location. The project is being funded by the City of Phoenix, using AHUR funds.

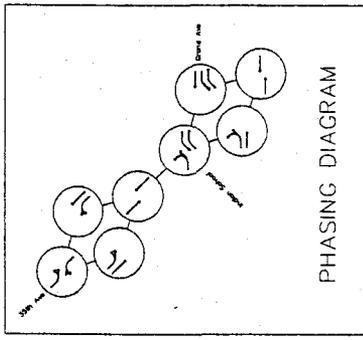
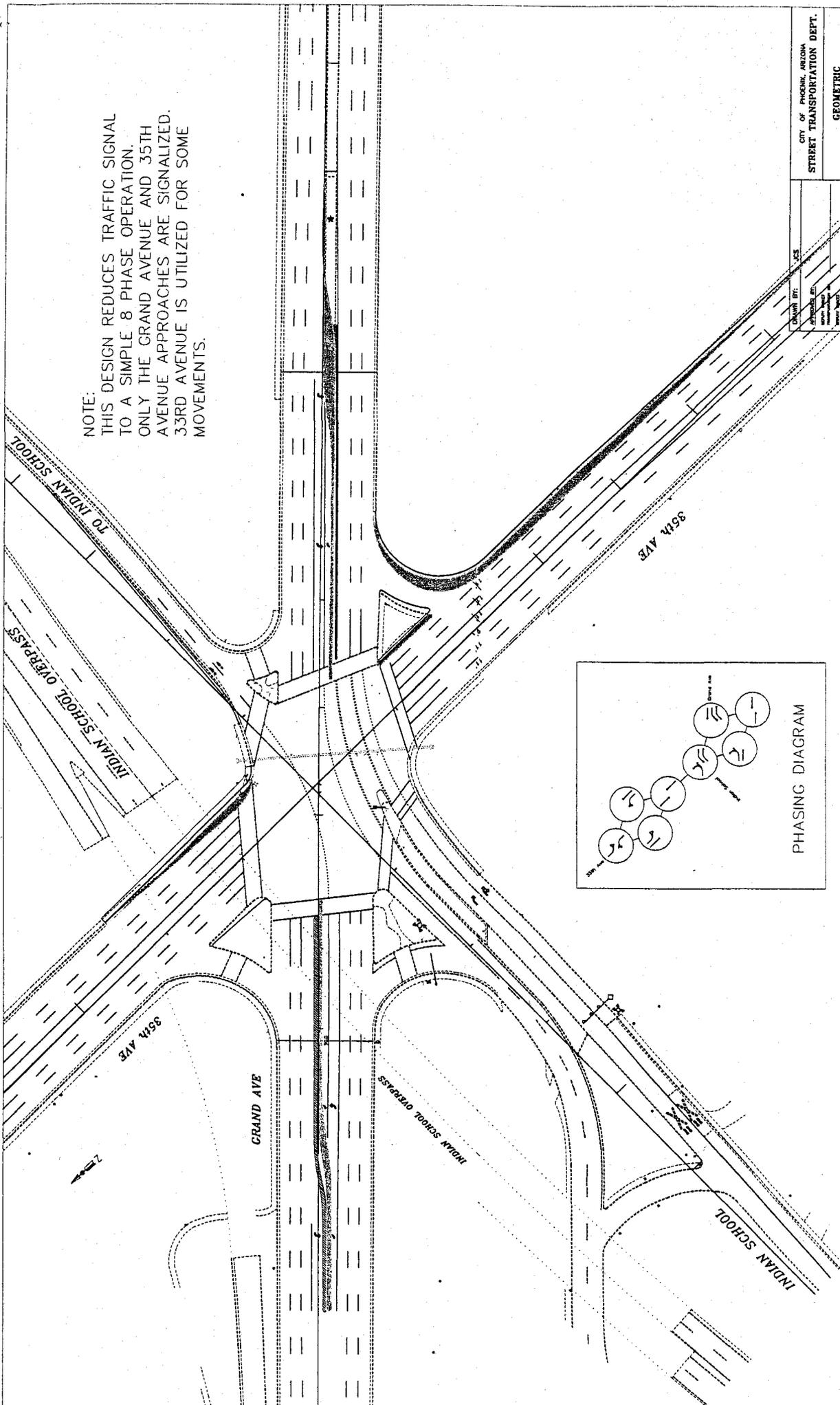
We are requesting a hearing to be set to determine if we can proceed with the construction once we complete our design. I have attached 8 copies of an 8 1/2 x 11 inch site drawing for your use in the hearing. If you need any other information to help with the hearing process, please call me at 602-534-2072. Thank you.

P.S. Congratulations on the upcoming retirement. We are envious!

Sincerely,

Laura Fritschi
Project Manager

NOTE:
 THIS DESIGN REDUCES TRAFFIC SIGNAL
 TO A SIMPLE 8 PHASE OPERATION.
 ONLY THE GRAND AVENUE AND 35TH
 AVENUE APPROACHES ARE SIGNALIZED.
 33RD AVENUE IS UTILIZED FOR SOME
 MOVEMENTS.



CITY OF PHOENIX, ARIZONA STREET TRANSPORTATION DEPT.		FILE NO. 642045
GEOMETRIC GRAND AVENUE AT 35TH AVENUE		SCALE: 1"=40'
DRAWN BY: _____		DATE: 8-00
CHECKED BY: _____		SHEET 1 OF 1 SHEETS
APPROVED BY: _____		WORK ORDER NO.:
PROJECT NO.:		