

ORIGINAL



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BEFORE THE ARIZONA CORPORATION COMMISSION

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Arizona Corporation Commission

COMMISSIONERS

2005 JUL -6 P 2:56

DOCKETED

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

AZ CORP COMMISSION DOCUMENT CONTROL

JUL 06 2005

DOCKETED BY	
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IN THE MATTER OF THE APPLICATION OF THE CITY OF KINGMAN, ARIZONA ON BEHALF OF THE BURLINGTON NORTHERN SANTA FE RAILWAY COMPANY TO CONSTRUCT A NEW RAILROAD CROSSING UNDERPASS AT AIRWAY AVENUE AT AAR DOT NO. 025634T AND THE CLOSURE OF THE LOUISE AVENUE AT-GRADE CROSSING AT AAR DOT NO. 025241K.

DOCKET NO. RR-02635B-05-0442

PROCEDURAL ORDER

BY THE COMMISSION:

On June 17, 2005, the City of Kingman ("City") submitted to the Arizona Corporation Commission ("Commission") a request for approval to construct a new public railroad crossing underpass for the Burlington Northern Santa Fe Railway Company ("Railroad") track at Airway Avenue in Kingman, Arizona, at AAR DOT No. 025634T and for the closure of the Louise Avenue at-grade public railroad crossing at AAR Dot No. 025241K. The City requested approval to construct on behalf of the Railroad. Upon the completion of the construction on the new underpass, the public at-grade crossing at Louise Avenue at AAR DOT No. 025241K will be closed.

IT IS THEREFORE ORDERED that the request of the City of Kingman shall be considered an application for the construction of a new underpass and for the closure of the Louise Avenue crossing pursuant to A.R.S. § 40-337, et seq.

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

IT IS FURTHER ORDERED that the hearing on the application shall be held on **July 27, 2005, at 10:00 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 City of Kingman shall provide the Railroad and any other municipality or interested party

1 that may be affected by the application with a copy of the application and this Procedural Order by
2 certified mail.

3 IT IS FURTHER ORDERED that the City of Kingman shall cause the publication of a copy
4 of this Procedural Order in a newspaper of general circulation in the City of Kingman no later than
5 July 15, 2005.

6 IT IS FURTHER ORDERED that the RAILROAD SHALL FILE WITH THE
7 COMMISSION'S DOCKET CONTROL AN ORIGINAL AND THIRTEEN (13) COPIES OF
8 PROOF OF COMPLIANCE WITH THIS PROCEDURAL ORDER CONCURRENTLY
9 WITH THE MAILING/PUBLICATION OF NOTICE ORDERED HEREIN.

10 DATED this 6th day of July, 2005



MARC E. STERN
ADMINISTRATIVE LAW JUDGE

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15 Copies of the foregoing mailed/delivered
16 this 6th day of July, 2005 to:

17 Peter R. Johnson
18 City of Kingman
19 310 North Fourth Street
20 Kingman, AZ 86401

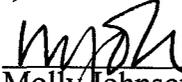
21 Colleen Deines, Manager
22 Public Projects
23 BNSF
24 740 East Carnegie Drive
25 San Bernardino, CA 92408

26 David Gibson
27 Arizona Department of Transportation
28 206 S. 17th Avenue, MD-064R
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By: 
Molly Johnson
Secretary to Marc E. Stern