

ORIGINAL



0000022477



City of Kingman

310 NORTH FOURTH STREET • KINGMAN • ARIZONA • 86401 • 928 • 753-5561

www.ci.kingman.az.us

ROBERT A. TAYLOR
City Attorney

July 29, 2005

Arizona Corporation Commission.
Docket Control
1200 West Washington Street
Phoenix, Az. 85007

Re: Docket No. RR-02635B-05-0442

Dear Sir or Madam:

In proof of compliance with the procedural order in the above referenced docketed matter, enclosed are thirteen (13) copies of the affidavit of publication of the procedural order.

Sincerely,

Robert A. Taylor
City Attorney

AZ CORP COMMISSION
DOCUMENT CONTROL

2005 AUG - 1 P 3: 51

RECEIVED

AFFIDAVIT OF PUBLICATION

Kingman Daily Miner

3015 Stockton Hill Road, Kingman, AZ 86401

web: www.kingmandailyminer.com • e-mail: legals@kingmandailyminer.com

Phone (928) 753-6397, ext. 242 • Fax (928) 753-5661

"Serving Kingman since 1882"

STATE OF ARIZONA)
County of Mohave) ss.

I, **ULLI SCHNEIDER**, being first duly sworn on her oath says:
That she is the Legals Clerk of **THE KINGMAN DAILY MINER**
An Arizona corporation, which owns and publishes the Miner,
a Daily Newspaper published in the City of Kingman, County of Mohave,
Arizona; that the notice attached hereto, namely,

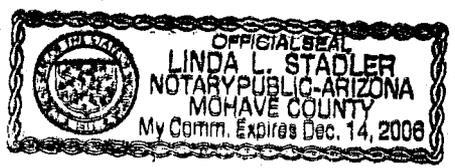
BEFORE THE ARIZONA CORPORATION COMMISSION
No 2289

Has, to the personal knowledge of affiant, been published in the news-
paper aforesaid, according to law, from the **15** day of **July, 2005**, to
the **15** day of **July, 2005**, inclusive without change, interruption or
omission, amounting in **1** insertion, made on the following date:
07/15, 2005

By: Ulli Schneider
Legal Clerk, 15th Day of July, 2005

By: Linda L. Stadler
Notary Public

My commission expires: 12/14/2006



(2289)
Before the Arizona Corporation
Commission
Commissioners
JEFF HATCH-MILLER, CHAIRMAN
WILLIAM A. MUNDEL
MARC SPITZER
MIKE CLEASON
KRISTIN K. MAYES
**IN THE MATTER OF THE APPLI-
CATION OF THE CITY OF KINGMAN,
ARIZONA ON BEHALF OF THE BUR-
LINGTON NORTHERN SANTA FE
RAILWAY COMPANY TO CON-
STRUCT A NEW RAILROAD CROSS-
ING UNDERPASS AT AIRWAY AVE-
NUE AT AAR DOT NO. 025634T AND
THE CLOSURE OF THE LOUISE AVE-
NUE 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 Corpora-
tion Commission ("Commission") a request
for approval to construct a new public rail-
road crossing underpass for the Burlington
Northern Santa Fe Railway Company ("Rail-
road") 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 con-
sidered an application for the construction of
a new underpass and for the closure of the
Louise Avenue crossing pursuant to ARS §
40-337, et seq.
IT IS FURTHER ORDERED that the Rail-
road shall be considered the Respondent in
this proceeding.
IT IS FURTHER ORDERED that the hear-
ing 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, Ari-
zona.
IT IS FURTHER ORDERED that within
five business days of receipt of this Proce-
dural Order, the City of Kingman shall pro-
vide the Railroad 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.
IT IS FURTHER ORDERED that the
RAILROAD SHALL FILE WITH THE
COMMISSION'S DOCKET CONTROL AN
ORIGINAL AND THIRTEEN (13) COPIES
OF PROOF OF COMPLIANCE WITH THIS
PROCEDURAL ORDER CONCURRENT-
LY WITH THE MAILING/PUBLICATION
OF NOTICE ORDERED HEREIN.
DATED this 6th day of July, 2005
SS MARC E. STERN
ADMINISTRATIVE LAW JUDGE
Copies of the foregoing mailed/delivered this
6th day of July, 2005 to:
Peter R. Johnson, City of Kingman

I, **ULLI SCHNEIDER**, being first duly sworn on her oath says:
That she is the Legals Clerk of **THE KINGMAN DAILY MINER**
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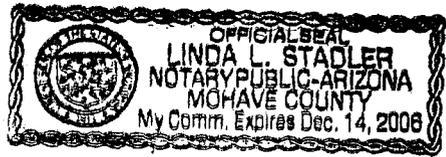
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JEFF HATCH-MILLER, CHAIRMAN
WILLIAM A. MUNDELL
MARC SPITZER
MIKE CLEASON
KRISTIN K. MAYES
**IN THE MATTER OF THE APPLICA-
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ARIZONA ON BEHALF OF THE BUR-
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RAILWAY COMPANY TO CON-
STRUCT A NEW RAILROAD CROSS-
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OF NOTICE ORDERED HEREIN.
DATED this 6th day of July, 2005
SS **MARC E. STERN**
ADMINISTRATIVE LAW JUDGE
Copies of the foregoing mailed/delivered this
6th day of July, 2005 to:
Peter R. Johnson, City of Kingman
310 North Fourth Street, Kingman, AZ 86401
Colleen Deines, Manager, Public Projects,
BNSF, 740 East Carnegie Drive
San Bernardino, CA 92408
David Gibson, Arizona Department of Trans-
portation
206 S. 17th Avenue, MD-064R
Phoenix, AZ 85007
Christopher Kempley, Chief Counsel
Legal Division
**ARIZONA CORPORATION COMMISS-
SION**
1200 West Washington Street
Phoenix, Arizona 85007
Don Thompson, Chief, Railroad Safety Sec-
tion, Utilities Division
**ARIZONA CORPORATION COMMISS-
SION**
1200 West Washington Street
Phoenix, Arizona 85007
ARIZONA REPORTING SERVICE, INC.
26217 N. Third Street, Suite Three
Phoenix, Arizona 85004-1104
By: S/S Molly Johnson
Secretary to Marc E. Stern
Published: July 15, 2005
No. 2289