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BEFORE THE ARIZONA CORPORATION COMMISSION

DOCKETED

1  
2 WILLIAM A. MUNDELL  
CHAIRMAN  
3 JIM IRVIN  
COMMISSIONER  
4 MARC SPITZER  
COMMISSIONER

JUN 14 2002

2002 JUN 14 P 12:39

DOCKETED BY [Signature]

AZ CORP COMMISSION  
DOCUMENT CONTROL

5  
6 IN THE MATTER OF THE APPLICATION OF  
7 THE ARIZONA DEPARTMENT OF  
8 TRANSPORTATION TO UPGRADE AN  
9 EXISTING CROSSING OF THE BURLINGTON  
NORTHERN AND SANTA FE RAILWAY AT  
51ST AVENUE AND BETHANY HOME ROAD IN  
PHOENIX, ARIZONA AT M.P. 185.40.

DOCKET NO. RR-02635B-02-0397

PROCEDURAL ORDER

10 **BY THE COMMISSION:**

11 On May 28, 2002, the Arizona Department of Transportation ("ADOT") filed with the  
12 Arizona Corporation Commission ("Commission") a request for approval for the Burlington Northern  
13 and Santa Fe Railway Company ("Railroad") to upgrade an existing crossing at the Railroad's  
14 existing tracks at 51st Avenue and Bethany Home Road in Phoenix, Arizona.

15 IT IS THEREFORE ORDERED that the request of ADOT shall be considered an application  
16 for the Railroad to upgrade an existing crossing pursuant to A.R.S. § 40-337, et seq.

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

19 IT IS FURTHER ORDERED that the hearing on the application shall be held on July 11,  
20 2002, at 9:40 a.m., or as soon thereafter as is practical, at the Commission's offices, 1200 West  
21 Washington Street, Phoenix, Arizona.

22 IT IS FURTHER ORDERED that within five business days of receipt of this Procedural  
23 Order, the Arizona Department of Transportation shall provide the Railroad and the City of Phoenix  
24 and any other municipality or interested party that may be affected by the application with a copy of  
25 the application and this Procedural Order by certified mail.

26 ...  
27 ...  
28 ...

1 IT IS FURTHER ORDERED that the Arizona Department of Transportation shall file with  
2 the Commission's Docket Control proof of compliance with this Procedural Order concurrently with  
3 the mailing of notice ordered herein.

4 DATED this 14<sup>th</sup> day of July, 2001.



MARC E. STERN  
ADMINISTRATIVE LAW JUDGE

8  
9 Copies of the foregoing mailed/delivered  
this 14<sup>th</sup> day of July, 2001 to:

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

13 David Gibson  
14 Arizona Department of Transportation  
205 S. 17th Avenue, MD-064R  
Phoenix, AZ 85007

15 Larry J. Delaney  
16 Project Engineer  
17 BNSF Railway Company  
1624 First Street NW  
18 Albuquerque, NM 87102-1538

19 Christopher Kempley, Chief Counsel  
20 Legal Division  
ARIZONA CORPORATION COMMISSION  
1200 West Washington Street  
Phoenix, Arizona 85007

21 Don Thompson, Railroad Safety Supervisor  
22 Office of Railroad Safety  
ARIZONA CORPORATION COMMISSION  
23 1200 West Washington Street  
Phoenix, Arizona 85007

24 ARIZONA REPORTING SERVICE, INC.  
25 2627 North Third Street, Ste. Three  
26 Phoenix, AZ 85004-1103

27 By: Molly Johnson  
28 Molly Johnson  
Secretary to Mark Stern