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BEFORE THE ARIZONA CORPORATION COMMISSION

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COMMISSIONERS

Arizona Corporation Commission

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2003 OCT 24 A 10: 58

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

OCT 24 2003

AZ CORP COMMISSION  
DOCUMENT CONTROL

DOCKETED BY [Signature]

IN THE MATTER OF THE APPLICATION OF  
THE ARIZONA DEPARTMENT OF  
TRANSPORTATION ON BEHALF OF THE  
UNION PACIFIC RAILROAD COMPANY TO  
CONSTRUCT A GRADE-SEPARATED  
CROSSING AT GREENFIELD ROAD AAR/DOT  
NO. 922-449Y, IN THE TOWN OF GILBERT,  
MARICOPA COUNTY, ARIZONA.

DOCKET NO. RR-03639A-03-0747

PROCEDURAL ORDER

**BY THE COMMISSION:**

On October 9, 2003, the Arizona Department of Transportation ("ADOT") filed with the Arizona Corporation Commission ("Commission") a request for approval for the Union Pacific Railroad Company ("Railroad") to construct a grade-separated crossing at the Railroad's tracks at Greenfield Road, AAR/DOT No. 922-449Y, in Gilbert, Arizona.

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 November 13, 2003, 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 Town of Gilbert 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.**

...  
...

1           **IT IS FURTHER ORDERED** that the Arizona Department of Transportation shall file  
2 with the Commission's Docket Control an original and thirteen (13) copies of certification of  
3 proof of compliance with this Procedural Order concurrently with the mailing of notice  
4 ordered herein.

5           DATED this ~~24<sup>th</sup>~~<sup>24<sup>th</sup></sup> day of October, 2003.

6  
7   
8 MARC E. STERN  
ADMINISTRATIVE LAW JUDGE

9 Copies of the foregoing mailed/delivered  
10 this ~~24<sup>th</sup>~~<sup>24<sup>th</sup></sup> day of October, 2003 to:

11 Joe Schwer  
12 Assistant Manager/Railroad Liaison  
13 Utility & Railroad Engineering Section  
14 205 S. 17<sup>th</sup> Avenue, MD 618E  
15 Phoenix, AZ 85007

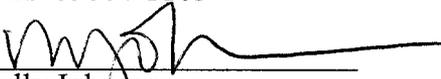
16 David Gibson  
17 ADOT  
18 Traffic Records Section  
19 206 S. 17<sup>th</sup> Avenue, MD-064R  
20 Phoenix, AZ 85007

21 Freddy Chung  
22 UNION PACIFIC RAILROAD COMPANY  
23 19100 Slover Avenue  
24 Bloomington, CA 92316

25 Christopher Kempley, Chief Counsel  
26 Legal Division  
27 ARIZONA CORPORATION COMMISSION  
28 1200 West Washington Street  
Phoenix, Arizona 85007

Don Thompson  
Railroad Safety Section  
1200 W. Washington Street  
Phoenix, AZ 85007

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

By:   
Molly Johnson  
Secretary to Marc Stern