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BEFORE THE ARIZONA CORPORATION COMMISSION

Arizona Corporation Commission

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COMMISSIONERS

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

OCT 24 2003

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DOCKETED BY *CM*

AZ CORP COMMISSION
DOCUMENT CONTROL

IN THE MATTER OF THE APPLICATION OF
THE ARIZONA DEPARTMENT OF
TRANSPORTATION ON BEHALF OF THE
UNION PACIFIC RAILROAD COMPANY TO
CONSTRUCT A NEW RAILROAD CROSSING
AT REALIGNED RAY ROAD, AAR/DOT NO.
922-180W, IN THE TOWN OF GILBERT,
MARICOPA COUTNTY, ARIZONA.

DOCKET NO. RR-03639A-03-0748

PROCEDURAL ORDER

BY THE COMMISSION:

On October 9, 2003 the Arizona Department of Transportation ("ADOT") submitted to the Arizona Corporation Commission ("Commission") a request for approval to construct a new at-grade signalized public railroad crossing for the Union Pacific Railroad Company ("Railroad") track at the realigned Ray Road, AAR/DOT No. 922-180W, in Gilbert, Arizona. With the construction of the new crossing, the existing crossing at Ray Road, AAR/DOT No. 748-721U and the existing crossing at Greenfield Road, AAR/DOT No. 748-722B will be closed.

IT IS THEREFORE ORDERED that the request of ADOT shall be considered an application for the construction of a new signalized crossing and for the closure of two other crossings 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 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

1 with a copy of the application and this Procedural Order by certified mail.

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

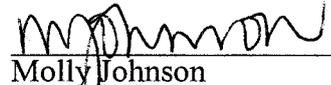
5 DATED this 24TH day of October, 2003.

6
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8 
9 MARC E. STERN
ADMINISTRATIVE LAW JUDGE

10 Copies of the foregoing mailed/delivered
11 this 24TH day of October, 2003 to:

ARIZONA REPORTING SERVICE, INC.
2627 N. Third Street, Suite Three
Phoenix, Arizona 85004-1104

12 Joe Schwer
13 Asst. Manager/Railroad Liaison
14 Utility & Railroad Engineering Section
15 205 S. 17th Avenue, MP 618E
16 Phoenix, AZ 85007

By: 
Molly Johnson
Secretary to Marc E. Stern

17 David Gibson
18 Arizona Department of Transportation
19 206 S. 17th Avenue, MD-064R
20 Phoenix, AZ 85007

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

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