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BEFORE THE ARIZONA CORPORATION COMMISSION

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COMMISSIONERS

JEFF HATCH-MILLER, Chairman
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2006 OCT 10 A 8:46
AZ CORP COMMISSION
DOCUMENT CONTROL

3092

IN THE MATTER OF THE APPLICATION OF
THE CITY OF SURPRISE TO UPGRADE AN
EXISTING CROSSING OF THE
BURLINGTON NORTHERN & SANTA FE
RAILWAY AT BELL ROAD AND GRAND
AVENUE, IN THE CITY OF SURPRISE,
MARICOPA COUNTY, ARIZONA, AT
AAR/DOT NO. 025-392-A.

DOCKET NO. RR-02635B-05-0283

**RESPONSE TO MOTION TO EXTEND
DEADLINE**

On July 18, 2005, the Arizona Corporation Commission (the "Commission") issued Decision No. 67975. Pursuant to the decision, Burlington Northern & Santa Fe Railway Company ("BNSF") received permission to upgrade an at grade rail crossing at the intersection of Grand Avenue and Bell Road in the City of Surprise at AAR/DOT No. 025-392-A. As part of the ordering paragraph, BNSF was required to complete construction of the upgrade within 15 months of the order which would be October 18, 2006.

On September 26, 2006, BNSF moved for an extension of the deadline to complete the construction of the upgrade 18 months further to March 18, 2008. In response, Railroad Safety Section Staff ("Staff") has no objection to the immediate request.

RESPECTFULLY SUBMITTED this 10th day of October 2006.

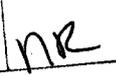

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Original and thirteen (13) copies
of the foregoing were filed this
10th day of October 2006 with:

Arizona Corporation Commission

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OCT 10 2006

DOCKETED BY 

1 Docket Control
2 Arizona Corporation Commission
3 1200 West Washington Street
4 Phoenix, Arizona 85007

5 Copy of the foregoing mailed this
6 10th day of October 2006 to:

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