

**ORIGINAL**



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MEMORANDUM

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TO: Docket Control

FROM: Brian Lehman  
Rail Safety Supervisor  
Safety Division

DATE: March 23, 2007

RE: Arizona Department of Transportation and Magma Railroad U.S. 60  
Highway Project. Docket No. RR-02638A-06-0032.

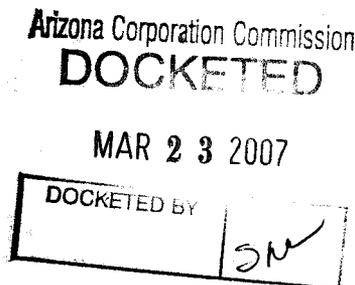
Pursuant to Judge Stern's Procedural Order, issued March 21, 2007, regarding the above referenced case, following find Staff's response to the request for an extension of time for the project.

On March 23, 2006, the Arizona Corporation Commission ("Commission") issued Decision No. 68593 which approved an application by the Arizona Department of Transportation for approval of and agreement with the Magma Railroad to construct a new crossing at U.S. 60 in Pinal County, Arizona at AAR/DOT No. 853-084-D. The railroad was ordered to complete the construction within fifteen months of the effective date of the Decision (June 23, 2007). Due to funding issues within ADOT, the money needed for this project was not available until February 2007. Construction is now scheduled to begin in June of 2007 and continue for two years. ADOT is requesting a thirty month time extension from the original completion date of June 2007, the new completion date will be January 1, 2010.

Staff instructed ADOT to ask for a thirty month extension as to not have to apply for another extension of time. Staff believes the extension should be granted.

BHL: CBW

Originator: Chris B. Watson



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