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19HC

**ORIGINAL** BEFORE THE ARIZONA CORPORATION COMMISSION

COMMISSIONERS  
MIKE GLEASON, Chairman  
WILLIAM A. MUNDELL  
JEFF HATCH-MILLER  
KRISTIN K. MAYES  
GARY PIERCE

Arizona Corporation Commission

**DOCKETED**

**JUN 23 2008**

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AZ CORP COMMISSION  
DOCKET CONTROL

2008 JUN 23 P 4: 17

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IN THE MATTER OF THE	)	DOCKET NO. RR-03639A-07-0518
APPLICATION OF UNION	)	
PACIFIC RAILROAD TO ALTER	)	<b>UNION PACIFIC RAILROAD</b>
CROSSINGS OF THE UNION	)	<b>COMPANY'S MOTION TO</b>
PACIFIC RAILROAD AT ANDERSON,	)	<b>CONTINUE EVIDENTIARY</b>
MONTGOMERY, ETHINGTON, AND	)	<b>HEARING SCHEDULED FOR</b>
<u>THORNTON ROADS</u>	)	<b>JULY 14, 2008</b>

On June 13, 2008, the Commission, through Administrative Law Judge Marc E. Stern, issued a procedural order setting an evidentiary hearing in this matter for July 14, 2008 at 10:00 a.m. Union Pacific Railroad Company ("Union Pacific") very much appreciates the Commission's attempt to set the evidentiary hearing at the earliest possible date. However, E. Dean Carlson, whom Union Pacific intends to call as an expert witness and who has testified in other hearings concerning Union Pacific's double-track project applications, is not able to testify on July 14, 2008 due to previous commitments.

For that reason, Union Pacific, by and through its attorneys Beaugureau, Hancock, Stoll & Schwartz, P.C., respectfully requests that such hearing be continued to a later date. The only dates on which Mr. Carlson would not be available to testify are July 14, July 23, August 11, and August 12, 2008. Charles Hains, attorney with the Commission's Legal Division, has informed the undersigned that Staff's expert witness, David Elack, will be unavailable the weeks of July

1 21 and 28, 2008. Union Pacific therefore requests that the evidentiary hearing in this matter be  
2 continued to a date after August 4, 2008, other than August 11 or 12.

3 RESPECTFULLY SUBMITTED this 23<sup>rd</sup> day of June, 2008.

4  
5 BEAUGUREAU, HANCOCK,  
6 STOLL & SCHWARTZ, P.C.

7 By: Terrance L. Sims  
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12 Attorneys for Applicant Union  
13 Pacific Railroad Company

14 ORIGINAL AND THIRTEEN COPIES  
15 of the foregoing filed this 23 day of  
16 June, 2008, with:

17 Arizona Corporation Commission  
18 1200 West Washington Street  
19 Phoenix, Arizona 85007

20 COPY of the foregoing mailed this  
21 23 day of June, 2008, to:

22 Mr. David Raber  
23 Mr. Brian Lehman  
24 Mr. Chris Watson  
25 Railroad Safety Section  
26 Arizona Corporation Commission  
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