

ORIGINAL



BEFORE THE ARIZONA CORPORATION COMMISSION

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COMMISSIONERS

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

2008 JUL -9 P 1:27

AZ CORP COMMISSION
DOCKET CONTROL

IN THE MATTER OF THE APPLICATION OF
UNION PACIFIC RAILROAD COMPANY TO
ALTER FIVE CROSSINGS OF THE UNION
PACIFIC RAILROAD IN PINAL COUNTY,
ARIZONA AT TREKELL, KEELING, PEART,
COX AND SUNLAND GIN ROADS.

DOCKET NO. RR-03639A-07-0519

MOTION TO CONTINUE

On June 24, 2008, Administrative Law Judge Marc Stern issued a procedural order setting an evidentiary hearing in the above captioned matter for July 31, 2008. Arizona Corporation Commission ("Commission") Railroad Safety Section Staff ("Staff") intends to call Mr. David Elack as an expert witness in this proceeding to testify regarding various issues related to this application. However, due to planned leave, Mr. Elack will be unavailable during the weeks of July 21 and July 28. As such, Mr. Elack will be unable to testify at the July 31 hearing in this matter.

For that reason, Staff respectfully requests a continuance of the evidentiary hearing in the above captioned matter. Based on pleadings filed in other dockets, Staff understands that applicant Union Pacific Railroad Company's ("Union Pacific") expert witness Mr. Dean Carlson will also be unavailable during the dates of August 11 and 12. Therefore Staff requests that the evidentiary hearing in this matter be continued to a date after August 4, 2008 other than August 11 or 12.

RESPECTFULLY submitted this 9th day of July, 2008.

Arizona Corporation Commission
DOCKETED

JUL -9 2008

DOCKETED BY *MM*

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1 Original and thirteen (13) copies
of the foregoing were filed this
2 9th day of July, 2008 with:

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

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6 Copy of the foregoing mailed this
9th day of July, 2008 to:

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