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Transcript Exhibit(s)

Docket #(s): RR-02634A-08-0444

Exhibit #: 51

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Director, Safety Division

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Staff Memorandum

To: THE COMMISSION

DOCKET NO. RR-02634A-08-0444

From: Safety Division

Date: November 14, 2008

RE: IN THE MATTER OF THE APPLICATION OF THE ARIZONA DEPARTMENT OF TRANSPORTATION TO UPGRADE AN EXISTING CROSSING OF THE ARIZONA EASTERN RAILWAY COMPANY AT COTTONWOOD STREET IN THE CITY OF GLOBE, GILA COUNTY, ARIZONA, AT AAR/DOT NO. 742-349-W.

On August 26, 2008, the Arizona Department of Transportation ("ADOT") filed with the Arizona Corporation Commission ("Commission") an application for approval for the Arizona Eastern Railway Company ("Railroad") to upgrade the existing crossing at the Railroad's tracks at Cottonwood Street, in Globe, Arizona, at AAR/DOT No. 742-349-W. The City of Globe is the controlling road authority at the Cottonwood Street highway/rail crossing.

This project is a Federally Funded 130 project and appeared on the 2001 Arizona Corporation Commission Annual Array. The purpose of this program is to comply with Federal and State legislation seeking to eliminate hazards to pedestrians and highway vehicles at public highway/railway crossings. Only crossings which are located on public roads and which are not primarily for the benefit of the railroad are eligible for this program. The Federal Highway Administration ("FHWA") issues authorizations for design and construction of each project; reimburses ADOT for the cost and conducts a final inspection of each project. The Railroad will invoice ADOT for 100% of the cost of the project.

Arizona Revised Statute § 40-337.03 states that "the commission shall submit to the railroad involved and the city, county and department of transportation in which jurisdiction a public railroad grade crossing is located, an array of such crossings where the installation of automatic warning signals or devices should be considered during the year, or within a reasonable time thereafter depending upon the availability of monies, materials, labor and other factors involved in such installation."

Currently there are passive devices (cross bucks) installed at Cottonwood Street. The proposed project entails installing 12 inch LED flashing lights, bells and automatic gates. The new devices will conform to ACC and MUTCD (Manual on Uniform Traffic Control Devices) standards. The estimated cost of the project is \$169,499.33. The Railroad will maintain the warning devices after the upgrade is completed.

According to a 2005 Census performed in Globe, the population of the Town is 7,187. Cottonwood Street is a paved two lane, north-south road where the posted speed limit is 35 mph. The crossing is located in historic downtown Globe. Traffic count data received from ADOT is from 1977 and shows the Average Daily Traffic (ADT) at this location to be 880 vehicles per day (vpd). Staff made several attempts to obtain more current data, but neither the Town nor Gila County was able to provide more recent numbers. However, Staff believes that the traffic counts in this area of Globe have remained consistent over the years. Due to the low amount of traffic volume, no Level of Service (LOS) calculations were performed for this location. There are alternative routes on either side of Cottonwood Street; to the east is Highway 60, a grade separated crossing, approximately one half mile away, and to the west an at-grade crossing at Sycamore Street, also approximately one half mile away. It should be noted that on May 16, 2008, in Decision No. 70340, the Commission approved similar upgrades at the Mesquite Street grade crossing, also located in this area of Globe. Additionally, on November 12, 2008, the Commission approved comparable upgrades to Hackney Road, also located in the vicinity of Cottonwood Street.

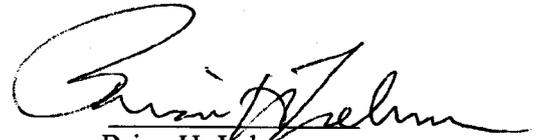
Train data provided by the Railroad states that there are 4 train movements through this crossing per week. The train speed at this location is 10 mph. No passenger trains operate on this line.

According to the Railroad Safety Section accident/ incident records and the Federal Railroad Administration, there have been no accidents at Cottonwood Street.

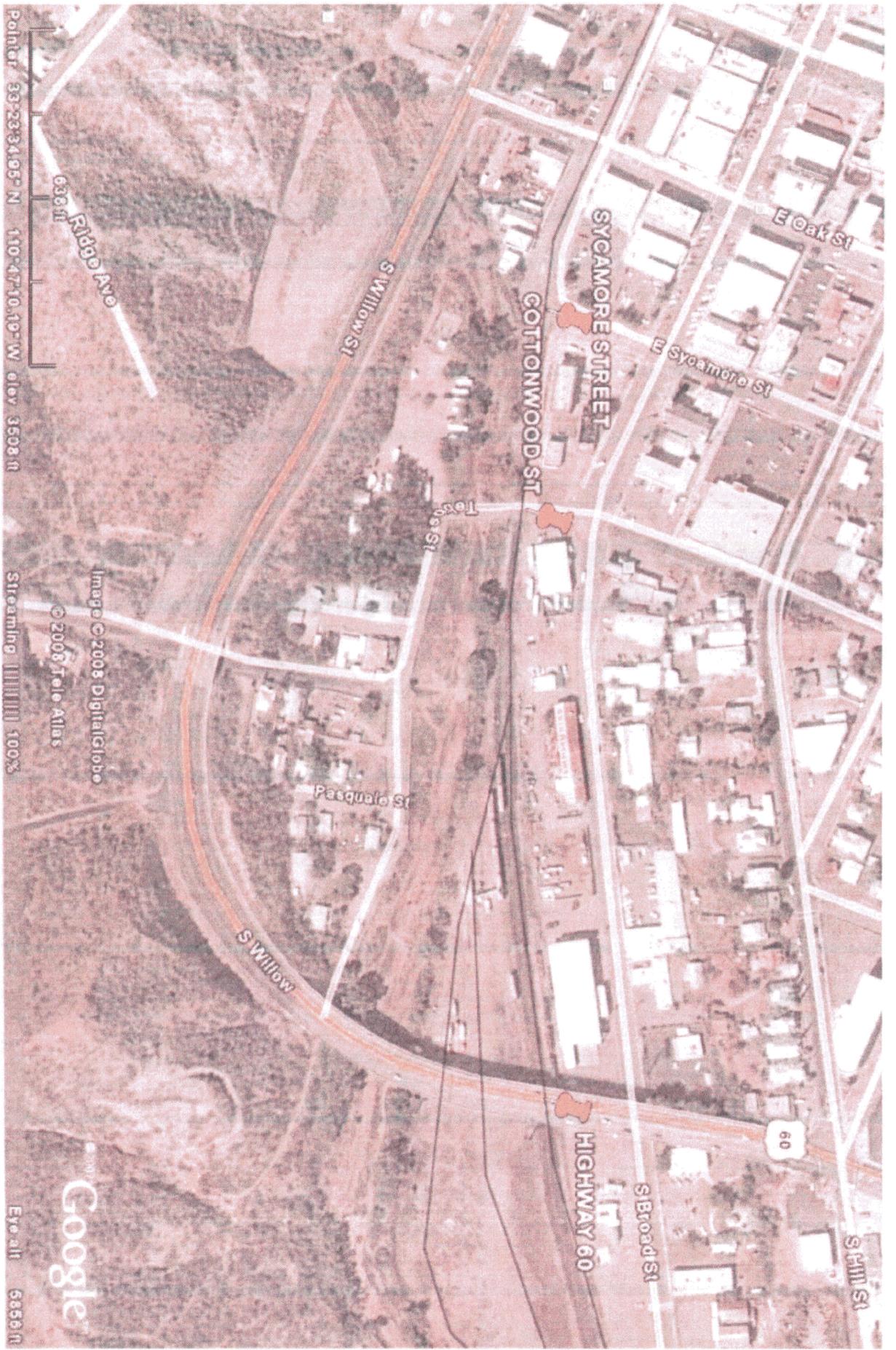
Having reviewed all applicable data, Staff is in full support of the proposed warning device upgrades to this crossing as presented by ADOT's application. Staff believes that the upgrades are in the public interest and are reasonable. Therefore, Staff recommends approval of ADOT's application.



Dave Raber
Director
Safety Division



Brian H. Lehman
Railroad Supervisor
Safety Division



Pointer 33-23-34.95° N 110-47-10.19° W elev 3508 ft

633 ft Ridge Ave

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Eye alt 6855 ft

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this 14th day of November, 2008 to:

Robert Travis, PE
State Railroad Liaison
Arizona Department of Transportation
205 S 17th Ave, Room 357
MD 618E
Phoenix, AZ 85007

Kathy Holquin
Office Manager
Arizona Eastern Railroad Co.
PO Box 2200
Claypool, Arizona, 85532

William Bennett
Public Works Director
City of Globe
105 N. Pine Street
Globe, Arizona 85501