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BEFORE THE ARIZONA CORPORATION COMMISSION

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2 **COMMISSIONERS**
KRISTIN K. MAYES - Chairman
3 GARY PIERCE
PAUL NEWMAN
4 SANDRA D. KENNEDY
BOB STUMP
5

2009 MAY -1 P 2:03

AZ CORP COMMISSION
DOCKET CONTROL

6 IN THE MATTER OF THE APPLICATION OF
THE BURLINGTON NORTHERN & SANTA
7 FE RAILWAY COMPANY FOR APPROVAL
TO INSTALL ADDITIONAL WRNING
8 DEVICES AT THE STEVES AND FANNING
RAILROAD CROSSINGS
9

DOCKET NO. RR-02635B-09-0075

**STAFF'S MOTION TO CONTINUE
ADMINISTRATIVE HEARING**

10

11 The Arizona Corporation Commission ("Commission") Safety Division ("Staff") hereby
12 requests a continuance of the administrative hearing currently scheduled to be held on May 6, 2009 at
13 1:00 p.m.

14 On April 30, 2009, Staff was made aware of additional information that may be of interest to
15 the Commission in its ultimate determination of this matter. Allegations have been made to Staff that
16 there may have been alterations to crossings that are the subject of the above-captioned application
17 prior to receiving Commission approval. Staff has already issued additional data requests and
18 believes that more time is required in order to properly evaluate all pertinent issues and submit
19 recommendations for the Commissioners' consideration of this application.

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Arizona Corporation Commission

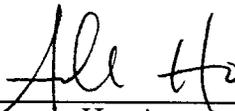
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1 As Staff is unsure at this point how complicated and extensive the issues are, Staff requests
2 that the Administrative Law Judge continue the hearing indefinitely. Once Staff has had an
3 opportunity to gain a better understanding of these new issues, a request for a Procedural Conference
4 may be filed to propose a new hearing date.

5 RESPECTFULLY SUBMITTED this 1st day of May 2009.

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8
9 Amanda Ho, Attorney
10 Charles H. Hains, Attorney
11 Legal Division
12 Arizona Corporation Commission
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Phoenix, Arizona 85007
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13 Original and thirteen (13) copies
14 of the foregoing were filed this
1st day of May 2009 with:

15 Docket Control
16 Arizona Corporation Commission
1200 West Washington Street
Phoenix, Arizona 85007

17 Copies of the foregoing mailed this
18 1st day of May 2009 to:

19 Randy Whitaker, Senior Project Manager
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24 San Bernardino, California 92408-3571

25 Robert Travis, PE, State Railroad Liaison
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