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1 FENNEMORE CRAIG, P.C.  
2 A Professional Corporation  
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4 3003 North Central Avenue, Suite 2600  
5 Phoenix, Arizona 85012  
6 Telephone (602) 916-5000  
7  
8 Attorneys for Drake Cement, LLC

BEFORE THE ARIZONA CORPORATION COMMISSION

9 IN THE MATTER OF THE APPLICATION  
10 OF DRAKE CEMENT, LLC TO  
11 ESTABLISH A NEW RAILROAD  
12 CROSSING ON YAVAPAI COUNTY  
13 ROAD 71 NEAR THE CITY OF DRAKE,  
14 YAVAPAI COUNTY, ARIZONA, DOT  
15 CROSSING NO. AAR/DOT# 933-885T

DOCKET NO. RR-20736A-10-0140

NOTICE OF FILING

LETTERS OF SUPPORT

16 Drake Cement, LLC ("Drake" or "Company") hereby files this Notice of Filing  
17 Letters of Support in the above-captioned matter. Attached hereto as Exhibit 1 is a letter  
18 dated July 13, 2010 from Yavapai County Supervisor Carol Springer addressed to  
19 Chairman Kristin Mayes. Attached hereto as Exhibit 2 is a letter from Gary Beverly of  
20 the Sierra Club dated July 6, 2010. These letters provide information concerning the  
21 Company's corporate activity, environmental stewardship and economic development in  
22 Yavapai County.

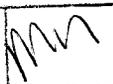
RESPECTFULLY SUBMITTED this 16th day of July, 2010.

FENNEMORE CRAIG, P.C.

Arizona Corporation Commission  
DOCKETED

JUL 16 2010

By:   
Patrick J. Black  
Attorneys for Drake Cement, LLC

DOCKETED BY 

1 ORIGINAL and 13 copies filed  
this 16th day of July, 2010 with:

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

5 COPY hand-delivered  
this 16th day of July, 2010 to:

6  
7 Marc E. Stern, ALJ  
Hearing Division  
8 Arizona Corporation Commission  
1200 West Washington Street  
9 Phoenix, Arizona 85007

10 Charles Hains, Esq.  
Legal Division  
11 Arizona Corporation Commission  
1200 West Washington Street  
12 Phoenix, Arizona 85007

13 Brian Lehman, Chief  
Railroad Safety Section  
14 Arizona Corporation Commission  
1200 West Washington Street  
15 Phoenix, Arizona 85007

16 Copy sent via mail  
this 16th day of July, 2010 to:

17 Martin Brennan  
18 Yavapai County Attorney's Office  
2830 N. Commonwealth, Suite 106  
19 Camp Verde, Arizona 86322

20 By: Patsy Reglade  
21 2333533.1/18751.033

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**DRAKE CEMENT, LLC**  
**DOCKET NO. RR-20736A-10-0140**

**NOTICE OF FILING**  
**LETTERS OF SUPPORT**

# **Exhibit 1**

# YAVAPAI COUNTY BOARD OF SUPERVISORS



**CAROL SPRINGER**  
Supervisor, District 1  
1015 Fair Street  
Prescott, AZ 86305  
(928) 771-3206  
[web.bos.district1@co.yavapai.az.us](mailto:web.bos.district1@co.yavapai.az.us)

July 13, 2010

The Honorable Kristen K. Mayes, Chairman  
Arizona Corporation Commission  
1200 W. Washington  
Phoenix, AZ 85007

**Re: Drake Cement, LLC**

Dear Commissioner Mayes:

Yavapai County has been working with Drake Cement, LLC since 2003 to construct a new cement plant in Drake, Arizona. Drake is located 110 miles north of Phoenix and 35 miles north of Prescott and is idyllic for cement production because of the limestone, the water supply, access to Interstate 40, high-voltage power lines and the rail access.

In today's economy Drake is a bright spot and has truly been a benefit to the economy in Yavapai County. From 2004 to 2008 Drake has contracted with local contractors and consultants. In May 2008, Drake started construction of their cement facility and employed over 600 people, achieving 70% local hire.

Drake has donated people and resources to assist many groups and organizations throughout Yavapai County. Drake has worked with the Prescott National Forest, Yavapai County Public Works Roads Department, BNSF, local schools and the Sierra Club. Led by Chief Operating Officer Cliff Ayres, long time resident of Northern Arizona, Drake is committed to people, values, technology and the environment.

The rail improvements provided Drake including the proposed crossing of County Road 71 will bring economic development to this part of the Yavapai County. Drake is in discussions today with other business interests due to the rail opportunities.

Yavapai County Board of Supervisors supports Drake Cement and all business in our county and thanks them for their values and contributions to our economy and citizens.

Sincerely,

  
Carol Springer

CS:blt

**DRAKE CEMENT, LLC  
DOCKET NO. RR-20736A-10-0140**

**NOTICE OF FILING  
LETTERS OF SUPPORT**

# **Exhibit 2**

July 6, 2010

To Whom It May Concern:

As a Sierra Club leader, I have been meeting with Cliff Ayers, COO of Drake Cement, bimonthly for two years.

Drake Cement demonstrates that good business and environmental stewardship go together. The company has picked up tons of trash from the Prescott National Forest lands surrounding the plant site. They have hauled hundreds of tons of car-sized boulders to line trailheads and block illegal OHV access to the Verde River.

Drake has funded studies of Mercury pollution in Verde River fish to prove that their operations will not impact the endangered native fishery.

Drake is in the midst of purchasing property along the river to use in a land exchange with the Forest Service. When completed, this land exchange will tremendously improve the protection of the upper Verde River.

In all my conversations with Ayers, he has been accurate and truthful, and he has done what he promised.

Unusual as it may seem for a conservationist to partner with a major extractive industry, I can without reservation recommend Drake Cement as an environmentally responsible corporation that acts reputably and reliably.

If you need any further information, please contact me.

Sincerely,



Gary Beverly, PhD  
PO Box 176  
Chino Valley, AZ 86323  
gbverde@cableone.net  
928-636-2638 (home)  
928-308-1003 (cell)