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BEFORE THE ARIZONA CORPORATION COMMISSION

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GARY PIERCE
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SANDRA D. KENNEDY
BOB STUMP

IN THE MATTER OF THE APPLICATION OF
THE CITY OF PHOENIX TO UPGRADE A
CROSSING OF THE UNION PACIFIC
RAILROAD AT LOWER BUCKEYE ROAD IN
THE CITY OF PHOENIX, MARICOPA
COUNTY, ARIZONA, USDOT 741-443-G.

DOCKET NO. RR-03639A-10-0355

**STAFF'S NOTICE OF FILING REVISED
STAFF REPORT**

On August 26, 2010, the City of Phoenix ("City") filed an application for approval for Union Pacific Railroad ("Railroad") to upgrade a crossing at Milepost 903.85. In the preparation of the Staff Report in this matter, Arizona Corporation Commission ("Commission") Railroad Safety Section Staff ("Staff") inadvertently utilized the incorrect USDOT crossing number for the crossing, USDOT 741-028-L which is for Buckeye Road. Consequently information within the Staff Report that was filed on October 25, 2010 relates information particular to the existing conditions for the Buckeye Road crossing rather than the one at issue in this application, Lower Buckeye Road. The information affected includes prior accident history, the date when the current configuration of the crossing was approved and by what decision among other things. Staff noted the error and has prepared a revised Staff Report to provide in substitution for the Staff Report filed on October 25. Staff hereby provides notice of filing the attached amended Staff Report for the City's application for approval for the Railroad to upgrade the crossing at Lower Buckeye Road, USDOT 741-443-G.

RESPECTFULLY SUBMITTED this 15th day of November, 2010.

Charles H. Hains, Attorney
Robin R. Mitchell, Attorney
Legal Division
Arizona Corporation Commission
1200 West Washington Street
Phoenix, Arizona 85007
(602) 542-3402

1 Original and thirteen (13) copies
2 of the foregoing filed this
3 15th day of November, 2010 with:

3 Docket Control
4 Arizona Corporation Commission
5 1200 West Washington Street
6 Phoenix, Arizona 85008

6 Copies of the foregoing mailed this
7 15th day of November, 2010 to:

7 Freddy Cheung, P.E.
8 Senior Manager - Industry & Public Projects
9 UNION PACIFIC RAILROAD COMPANY
10 2015 South Willow Avenue
11 Bloomington, CA 92316

10 Anthony J. Hancock
11 Terrance L. Sims
12 BEAUGUREAU, ZUKOWSKI
13 & HANCOCK, P.C.
14 302 East Coronado
15 Phoenix, Arizona 85004
16 Attorneys for Union Pacific Railroad Company

14 Thomas Fisher, Utility Coordinator
15 CITY OF PHOENIX
16 200 West Washington Street
17 Phoenix, AZ 85003-1611

16 Robert Travis, P.E.
17 State Railroad Liaison
18 ARIZONA DEPARTMENT OF
19 TRANSPORTATION
20 205 South 17th Avenue, Room 357
21 M/D 618E
22 Phoenix, Arizona 85007

20 Kelly Roy, Utility Project Coordinator
21 MARICOPA COUNTY DEPARTMENT
22 OF TRANSPORTATION
23 2901 West Durango Street
24 Phoenix, Arizona 85009

23 Janice Alward, Chief Counsel
24 Legal Division
25 ARIZONA CORPORATION COMMISSION
26 1200 West Washington Street
27 Phoenix, Arizona 85007
28

1 Brian Lehman, Chief
2 Railroad Safety Section of the Safety Division
3 ARIZONA CORPORATION COMMISSION
4 1200 West Washington Street
5 Phoenix, Arizona 85007

6

7 Roseann Osorio

8

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REVISED STAFF MEMORANDUM

To: THE COMMISSION

From: Steven M. Olea
Interim Director
Safety Division

Date: November 15, 2010

RE: IN THE MATTER OF THE APPLICATION OF THE CITY OF PHOENIX TO
UPGRADE A CROSSING OF THE UNION PACIFIC RAILROAD AT LOWER
BUCKEYE ROAD IN THE CITY OF PHOENIX, MARICOPA COUNTY, ARIZONA,
USDOT NO.741-443-G.

DOCKET NO. RR-03639A-10-0355

Background

On August 26, 2010, the City of Phoenix ("City") filed with the Arizona Corporation Commission ("Commission") an application for approval for the Union Pacific Railroad ("Railroad") to upgrade an existing crossing at Lower Buckeye Road in the City of Phoenix, Maricopa County, Arizona at USDOT No. 741-443-G.

Commission Decision No. 55508 dated April 1, 1987 authorized the installation of automatic gates, flashing lights and bells.

On May 18, 2009, the Safety Division, Railroad Safety Section ("Staff"), the Railroad, TY International (consultants to the City), and the City participated in a diagnostic review of the proposed improvements at Lower Buckeye Road. All parties present were in agreement regarding the proposed improvements at the crossing. The following is a break down of the crossing in this application, including information about the crossing that was provided to Staff by the City and its consultants.

Geographical Information

The rail spur runs in a southeast to northwest direction and is accessed from the Railroad's main track by a track switch. This rail spur serves both commercial and industrial customers in this area. Lower Buckeye Road is an east to west main arterial through the City. The railroad crossing at Lower Buckeye Road is approximately 1,306 feet west of 35th Avenue and 3,980 feet east of 43rd Avenue. The general area surrounding the crossing is a mix of commercial, and industrial businesses (see Exhibit A).

Lower Buckeye Road

The existing roadway is a paved two lane road. The proposed project includes widening the roadway to five lanes, two eastbound lanes and two westbound lanes and a continuous left turn lane, including curb and gutter. The City's proposed upgrades will replace the existing incandescent flashing lights, gate mechanisms, bells and detection circuitry, with the latest in

industry standards to include: 12-inch LED flashing lights, median and curb-side automatic gates, bells, and constant warning time circuitry. A new concrete crossing surface will be added, along with replacing any impacted pavement markings. The proposed measures are consistent with safety measures employed at similar at-grade crossings in the State. The estimated cost of the proposed railroad crossing upgrade is \$417,787.20. The City is paying for the entire cost of the crossing improvements. The Railroad will maintain the warning devices and the crossing surface.

Traffic data for Lower Buckeye Road between 35th Avenue and 43rd Avenue was provided by the City. The data shows the Average Daily Traffic ("ADT") for 2005 to be 14,800, vehicles per day ("vpd"). Staff requested the current Level of Service ("LOS") for Lower Buckeye Road, and the City provided the following answer:

Existing traffic at the intersection of Lower Buckeye Road with 43rd Avenue and 35th Avenue seems to be operating adequately.

No future LOS was provided.

The American Association of State Highway and Transportation Officials ("AASHTO") Geometric Design of Highways and Streets, 2004, states that the Level of Service characterizes the operating conditions on a facility in terms of traffic performance measures related to speed and travel time, freedom to maneuver, traffic interruptions, and comfort and convenience. This is a measure of roadway congestion ranging from LOS A--least congested--to LOS F--most congested. LOS is one of the most common terms used to describe how "good" or how "bad" traffic is projected to be.

The posted speed limit on Lower Buckeye Road is 45 mph. Staff records, as well as Federal Railroad Administration ("FRA") accident/incident records, indicate three accidents at this crossing. The first occurred on October 22, 1978, in which a vehicle drove into the side of a train and resulted in one injury. A second accident occurred on July 17, 1986, in which a vehicle drove into the side of a train and resulted in one injury. The third occurred on June 23, 1988, in which the driver did not stop and was struck by a train, no injuries occurred. It should be noted that all three of these accidents occurred before automatic warning devices were installed at the crossing.

Alternative routes from this crossing are as follows; to the west approximately 0.75 miles is 43rd Avenue, an at-grade crossing, and to the east approximately 0.25 miles is 35th Avenue, also an at-grade crossing.

Train Data

Data provided by the City regarding train movements through this crossing are as follows:

Train Count: 1 train per day (all freight trains/no passenger trains)

Train Speed: 10 mph

Thru Freight/Switching Moves: All movements through this crossing are switching movements.

Schools and Bus Routes

The following schools are located within a three mile radius of the crossing:

Elementary Schools:

- ✓ Jack L. Kuban Elementary School – 3201 W. Sherman St.
- ✓ Alfred F. Garcia School – 1441 S. 27th Avenue
- ✓ Riverside Elementary School – 1414 S. 51st Avenue

Per the City of Phoenix:

There are no school buses utilizing this crossing.

Hospitals

The nearest hospital to the Lower Buckeye Road crossing is:

Hospital:

- ✓ Promise Hospital of Phoenix – 1201 S. 7th Avenue

No data was available for the number of emergency vehicles utilizing this crossing.

Hazardous Materials

The City gave the following response when asked about vehicles transporting hazardous materials through this crossing:

No data is available for the number of vehicles carrying hazardous materials at this location.

Zoning

Staff requested the City provide information regarding the type of zoning in adjacent areas from the crossing. The following was the City's response:

The area surrounding this crossing is 100% industrial.

Spur Lines

The City gave the following answer regarding spur lines in the area that were removed by the Railroad:

No spur removals.

The Federal Highway Administration ("FHWA") Guidelines Regarding Grade Separation

The FHWA Railroad-Highway Grade Crossing Handbook (Revised Second Edition August 2007) provides nine criteria for determining whether highway-rail crossings should be considered for grade separation or otherwise eliminated across the railroad right of way. The Crossing Handbook indicates that grade separation or crossing elimination should be considered whenever one or more of the nine conditions are met. The nine criteria are applied to this crossing application as follows:

		Lower Buckeye Road
The highway is a part of the designated Interstate Highway System	Crossing Currently meets the criteria	No
	Crossing meets the criteria by 2030	No
The highway is otherwise designed to have full controlled access	Crossing Currently meets the criteria	No
	Crossing meets the criteria by 2030	No
The posted highway speed equals or exceeds 70 mph	Crossing Currently meets the criteria	No
	Crossing meets the criteria by 2030	No
AADT exceeds 100,000 in urban areas or 50,000 in rural areas	Crossing Currently meets the criteria	No
	Crossing meets the criteria by 2030	No
Maximum authorized train speed exceeds 110 mph	Crossing Currently meets the criteria	No
	Crossing meets the criteria by 2030	No
An average of 150 or more trains per day or 300 million gross tons/year	Crossing Currently meets the criteria	No
	Crossing meets the criteria by 2030	No
Crossing exposure (trains/day x AADT) exceeds 1M in urban or 250k in rural; or passenger train crossing exposure exceeds 800k in urban or 200k in rural	Crossing Currently meets the criteria	No
	Crossing meets the criteria by 2030	No
Expected accident frequency for active devices with gates, as calculated by the US DOT Accident Prediction Formula including five-year accident history, exceeds 0.5	Crossing Currently meets the criteria	No
	Crossing meets the criteria by 2030	N/A ¹
Vehicle delay exceeds 40 vehicle hours per day	Crossing Currently meets the criteria	No
	Crossing meets the criteria by 2030	No

¹ N/A = Not Applicable

Vehicular Delays at Crossings

The delay time is measured from the point that the warning devices are activated at the crossing to the time the train has cleared the crossing and the warning devices are reset. Based on the current single track configuration, the City gave the following response about delay time for vehicles at the crossing in this application.

No traffic delay has been experienced.

While no delay calculations were performed, Staff believes current delays fall well below the FHWA recommended threshold of 40 delay hours per day. Since no future traffic studies were conducted it is unclear whether the 40 hour threshold would be met. However, given the type of train operation (switching) and the surrounding industrial area, Staff believes any future delays would be minimal and not exceed 40 hours at this crossing. It is very likely that the road authority would consider some kind of roadway project to address the traffic delays before the level of delay reached that point.

Another commonly used measure outlined in the FHWA Guidelines, the so-called Crossing Exposure Index (which is simply the product of the number of trains per day multiplied by the number of vehicles crossing daily), is not currently met at this crossing. The current Crossing Exposure Index is 14,800, which is well below the threshold of 1 million for urban areas. It should be noted that the criteria identified in the FHWA material are not mandates, but guidelines established by the Federal Highway Administration, which serve to alert those having jurisdiction that potential problems may arise.

Grade Separation

With regard to grade separating this crossing, the City gave the following response:

There is minimal railroad right-of-way (50' to the north and 33' to the south) with no additional room to expand on either side. This would require the grade separated crossing to utilize retaining walls all the way which is costly.

The crossing is used by service trains not mainline trains and the cost of a grade separated crossing cannot be justified for this type of service. Lower Buckeye Road is bound by several industrial properties near the crossing. Proposing a grade separated crossing would eliminate all access to these properties.

Staff has utilized the FHWA Guidelines to determine the potential need for grade separation at this crossing. Based on existing conditions, the crossing in this application meets none of the nine criteria for consideration of grade separation. No future traffic projections were performed.

Crossing Closure

The area surrounding this crossing is highly developed with commercial and industrial businesses. To close this crossing would have a negative effect on many of the local businesses. Therefore, Staff would not recommend closure of this crossing.

Staff Conclusions

Having reviewed all applicable data, Staff supports the City's application. Staff believes that the upgrades are in the public interest and are reasonable. Staff believes that the measures proposed by the City are consistent with other similar at-grade crossings in the State and will provide for the public's safety. Therefore, Staff recommends approval of the City's application.

A handwritten signature in black ink, appearing to read "Brian H. Lehman", with a long horizontal flourish extending to the right.

Brian H. Lehman
Railroad Safety Supervisor
Safety Division

Originator: BHL