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BEFORE THE ARIZONA CORPORATION COMMISSION

2011 JAN 19 P 4 15

COMMISSIONERS

GARY PIERCE, Chairman
PAUL NEWMAN
SANDRA D. KENNEDY
BOB STUMP
BRENDA BURNS

AZ CORP COMMISSION
DOCKET CONTROL

IN THE MATTER OF THE)	DOCKET NO. RR-03639A-08-0053
APPLICATION OF THE UNION)	
PACIFIC RAILROAD TO ALTER)	UNION PACIFIC RAILROAD
ONE CROSSING OF THE UNION)	COMPANY'S WITHDRAWAL
PACIFIC RAILROAD AT PRINCE)	OF ITS APPLICATION
ROAD)	

On January 28, 2008, Union Pacific Railroad Company ("Union Pacific"), by and through its attorneys Beaugureau, Hancock, Stoll & Schwartz, P.C., filed an application with the Arizona Corporation Commission ("Commission") for authority to alter the public at-grade crossing of the Union Pacific at Prince Road, AAR/ DOT No. 741 105J, by relocating the existing siding track to twenty feet from center of the existing mainline track ("Application"). The Prince Road crossing is located in the City of Tucson. After a hearing before the Commission's Administrative Law Judge on October 29, 2008, a recommended opinion and order ("ROO") was prepared and filed on February 3, 2009.

The Commission considered the February 3, 2009 ROO at its March 19, 2009 Open Meeting. The Commission did not vote on the ROO, but instead directed the Hearing Division

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Arizona Corporation Commission

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1 to schedule an additional hearing on the Application to consider additional evidence. Union
2 Pacific hereby withdraws its Application.

3 RESPECTFULLY SUBMITTED this 19th day of January, 2011.

4 BEAUGUREAU, HANCOCK,
5 STOLL & SCHWARTZ, P.C.

6
7 By: Terrance L. Sims
8 Anthony J. Hancock
9 Terrance L. Sims
10 302 East Coronado
11 Phoenix, Arizona 85004
12 Attorneys for Applicant Union
13 Pacific Railroad Company

11 ORIGINAL AND THIRTEEN COPIES
12 of the foregoing filed this 19th day of
13 January, 2011, with:

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

17 COPY of the foregoing mailed this
18 19th day of January, 2011, to:

19 Mr. Brian Lehman, Supervisor
20 Mr. Chris Watson, Assistant Supervisor
21 Railroad Safety Section
22 Arizona Corporation Commission
23 2200 North Central Avenue, #300
24 Phoenix, Arizona 85007

25 Charles H. Hains, Esq.
26 Legal Division
Arizona Corporation Commission
1200 West Washington Street
Phoenix, Arizona 85007

Lori Curry
Lori Curry