

ORIGINAL

NEW APPLICATION



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BEFORE THE ARIZONA CORPORATION COMMISSION

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2011 JAN 31 P 2:32

AZ CORP COMMISSION
DOCKET CONTROL

IN THE MATTER OF THE)
 APPLICATION OF UNION PACIFIC)
 RAILROAD COMPANY TO ALTER)
 TWO CROSSINGS OF THE)
 UNION PACIFIC RAILROAD)
 AT RUTHRAUFF AND INA ROADS)

DOCKET NO. RR-03639A-11-0051

UNION PACIFIC RAILROAD)
 COMPANY'S APPLICATION)
 FOR AUTHORITY TO ALTER)
 TWO CROSSINGS OF THE)
 UNION PACIFIC RAILROAD)
 AT RUTHRAUFF AND INA)
 ROADS BY ADDING A SECOND)
 MAINLINE TRACK)

Applicant Union Pacific Railroad Company ("Union Pacific"), whose post office address is 1255 South Campbell Avenue, Tucson, Arizona 85713, by and through its attorneys Beaugureau, Hancock, Stoll & Schwartz, P.C., pursuant to A.A.C. R14-3-106(F) and R14-3-107 and A.R.S. § 40-337(B)(2), hereby applies for authority to alter the public at-grade crossing AAR/DOT No. 741 104C at Ruthrauff Road and the public at-grade crossing AAR/DOT No. 741 101G at Ina Road by constructing a second mainline track at each of those locations. By submitting this application, Union Pacific does not waive its rights with respect to any lack of jurisdiction or authority of the Arizona Corporation Commission, including, without limitation, the right to assert federal preemption.

The reasons for this application follow:

Arizona Corporation Commission
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1 1. Following the construction of the single mainline track in on which Union Pacific
2 now operates its railroad in Arizona, the public's demand for rail freight service to, from, and
3 through Arizona and in the Southwest generally has grown dramatically.

4 2. To meet this growing public demand for movement of freight by rail, Union Pacific
5 needs to increase its capacity to move more freight to, from, and through Arizona. The only way
6 to increase Union Pacific's capacity substantially is to add a second mainline track into and
7 through Arizona (the "double-track project"). Doing so is in the best interests of Union Pacific's
8 25,000 rail customers, the many other members of the public who use the freight shipped by those
9 customers, Union Pacific, and rail commerce to, from, and through Arizona and throughout the 23
10 western states served by Union Pacific.
11

12 3. The addition of a second mainline track through Arizona will allow more
13 expeditious movement of freight by rail through the State, and will thus minimize traffic delays for
14 users of the roadways that cross Union Pacific's railroad tracks within the State.

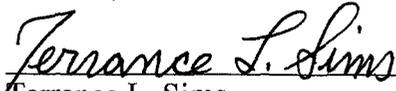
15 4. No new railroad-roadway crossings will be constructed as part of the double-track
16 project. Instead, a second mainline track would be added only at crossings where a single mainline
17 track already exists.
18

19 5. This application seeks authority to construct a second mainline track at two crossing
20 in Tucson, where Ruthrauff Road and Ina Road intersect at grade with Union Pacific's existing
21 mainline track. The crossings at Ruthrauff and Ina Roads and the proposed improvements thereto
22 have been evaluated by a diagnostic team consisting of Union Pacific, the Arizona Corporation
23 Commission's Railroad Safety Staff, and the controlling roadway authority, which is Pima County
24 with respect to Ruthrauff Road, and the Town of Marana with respect to Ina Road.
25
26

1 COPY of the foregoing mailed this
2 31st day of January, 2011, to:

3 Mr. Brian Lehman, Supervisor
4 Mr. Chris Watson
5 Railroad Safety Section
6 Arizona Corporation Commission
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8 Phoenix, Arizona 85007

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12 Arizona Corporation Commission
13 1200 West Washington Street
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16 _____
17 Terrance L. Sims