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BEFORE THE ARIZONA CORPORATION CC
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COMMISSIONERS
GARY PIERCE, Chairman
PAUL NEWMAN
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2011 MAR 25 P 4: 14
ARIZONA CORPORATION COMMISSION
DOCKET CONTROL

Arizona Corporation Commission
DOCKETED
MAR 25 2011

DOCKETED BY

IN THE MATTER OF THE) DOCKET NO. RR-03639A-11-0051
APPLICATION OF UNION PACIFIC)
RAILROAD COMPANY TO ALTER) **STIPULATION AND MOTION**
TWO CROSSINGS OF THE) **TO CONTINUE MAY 5, 2011**
UNION PACIFIC RAILROAD) **HEARING AND ASSOCIATED**
AT RUTHRAUFF AND INA ROADS) **DATES SET IN FEBRUARY 17,**
) **2011 PROCEDURAL ORDER**
)
)
)

Applicant Union Pacific Railroad Company ("Union Pacific") and the Commission's Safety Division, Railroad Safety Section ("Staff") hereby stipulate to, and respectfully request, a continuance of the May 5, 2011 hearing and associated preliminary dates currently set in this matter by the Procedural Order issued February 17, 2011 by Administrative Law Judge Marc E. Stern. The reasons for this stipulation and motion are as follows:

Dean Carlson, the expert Union Pacific intends to call to testify in this matter, has had long-standing plans to attend a meeting of the American Association of State Highway and Transportation Officials from May 2 through May 6, 2011. For that reason, he is not available to testify on May 5, 2011, the date on which the evidentiary hearing in this matter is scheduled to take place.

Further, Union Pacific's responses to Staff's first set of data requests were due on March 25. However, the person gathering information for those responses is currently out of her office and unable to work on the responses. For that reason, Union Pacific and Staff have agreed to a

1 two-week extension, until April 8, 2011, for Union Pacific to respond to the data requests. But
2 that extension will delay Staff's preparation of its Staff Report and associated exhibits for two
3 weeks beyond the April 8, 2011 date set by the Procedural Order.

4 Union Pacific and Staff therefore stipulate and move to continue the May 5, 2011 hearing
5 and preliminary dates associated with that hearing. The parties note that the May 5 hearing has
6 been noticed to the public. As such, Union Pacific and Staff propose convening the May 5
7 hearing for the limited purpose of taking public comment.

8 Union Pacific and Staff are mindful of the Hearing Division's busy schedule. If the
9 Hearing Division is willing to grant this motion, Union Pacific and Staff propose the following
10 dates in the hope that they will assist the Hearing Division in rescheduling.
11

12 Staff Report: April 22, 2011.

13 Any objections to Staff Report: May 6, 2011.

14 Hearing: May 10, 11, 12, 13, 16, 17, or 26, 2011.

15 RESPECTFULLY SUBMITTED this 25th day of March, 2011.

16
17 BEAUGUREAU, HANCOCK,
STOLL & SCHWARTZ, P.C.

COMMISSION'S SAFETY DIVISION,
RAILROAD SAFETY SECTION

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March, 2011, with:

3 Arizona Corporation Commission
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5 COPY of the foregoing mailed this
6 25th day of March, 2011, to:

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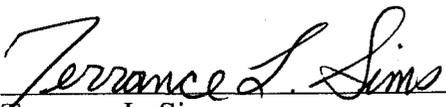
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