

ORIGINAL

NEW APPLICATION



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BEFORE THE ARIZONA CORPORATION COMMISSION

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Arizona Corporation Commission

DOCKETED

JUN 30 2011

COMMISSIONERS

GARY PIERCE, Chairman  
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2011 JUN 30 1P 4: 23

AZ CORP COMMISSION  
DOCKET CONTROL

DOCKETED BY [Signature]

IN THE MATTER OF THE ) DOCKET NO. RR-03639A-11-0262  
 APPLICATION OF UNION PACIFIC )  
 RAILROAD COMPANY TO ALTER ) **UNION PACIFIC RAILROAD**  
 ONE CROSSING OF THE ) **COMPANY'S APPLICATION**  
 UNION PACIFIC RAILROAD ) **FOR AUTHORITY TO ALTER**  
 AT TANGERINE ROAD ) **ONE CROSSING OF THE**  
 ) **UNION PACIFIC RAILROAD**  
 ) **AT TANGERINE ROAD 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 088V at Tangerine Road by constructing a second mainline track at that location. 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:

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

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

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

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

15           5.     This application seeks authority to construct a second mainline track at one crossing  
16 in Marana, where Tangerine Road intersects at grade with Union Pacific's existing mainline track.  
17 The crossing at Tangerine Road and the proposed improvements thereto have been evaluated by a  
18 diagnostic team consisting of Union Pacific, the Arizona Corporation Commission's Railroad  
19 Safety Staff, Pima County, and the controlling roadway authority, which is the Town of Marana.  
20

21           6.     Safety will be enhanced at this crossing in connection with the addition of a second  
22 mainline track by incorporating the most currently accepted standards in the industry for at-grade  
23 crossing safety.

24           7.     If the Commission approves this application, Union Pacific will bear the entire cost  
25 of constructing a second mainline track at the Tangerine Road crossing, including all safety  
26 improvements.

1 For the foregoing reasons, Union Pacific respectfully applies to the Commission for  
2 authority to alter, at Union Pacific's own cost, the foregoing public grade crossing as specified  
3 herein.

4 RESPECTFULLY SUBMITTED this 30<sup>th</sup> day of June, 2011.

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

7  
8 By: Terrance L. Sims  
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10 Terrance L. Sims  
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12 Phoenix, Arizona 85004  
13 Attorneys for Applicant Union  
14 Pacific Railroad Company

12 ORIGINAL AND THIRTEEN COPIES  
13 of the foregoing filed this 30<sup>th</sup> day of  
14 June, 2011, with:

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

16 COPY of the foregoing mailed this  
17 30<sup>th</sup> day of June, 2011, to:

18 Mr. Brian Lehman, Supervisor  
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