

ORIGINAL

OPEN MEETING ITEM



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BEFORE THE ARIZONA CORPORATION CC

COMMISSIONERS

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

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AZ CORP COMMISSION  
DOCKET CONTROL

IN THE MATTER OF THE ARIZONA CORPORATION COMMISSION, ON ITS OWN MOTION, TO ESTABLISH AN ARRAY OF PUBLIC RAIL/HIGHWAY GRADE CROSSINGS THROUGHOUT THE STATE OF ARIZONA.

DOCKET NO. RR-00000E-11-0020

**STAFF'S NOTICE OF FILING  
PROPOSED ORDER**

Staff hereby provides notice of filing the attached proposed order authorizing establishment Array of Public Rail/Highway Grade Crossings throughout the State of Arizona for the Commission's consideration. This is only a Staff recommendation to the Commission; it has not yet become an order of the Commission. The Commission can decide to accept, amend or reject Staffs proposed order. This matter is scheduled for Commission deliberation at its Open Meeting scheduled December 13 and 14, 2011.

RESPECTFULLY SUBMITTED this 18<sup>th</sup> day of November, 2011.

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

Original and thirteen (13) copies of the foregoing were filed this 18<sup>th</sup> day of November, 2011 with:

Docket Control  
Arizona Corporation Commission  
1200 West Washington Street  
Phoenix, Arizona 85007

Arizona Corporation Commission

DOCKETED

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DOCKETED BY

1 Copy of the foregoing mailed this  
18<sup>th</sup> day of November, 2011 to:

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Mr. Robert Travis  
Railroad Engineering Coordinator  
ADOT-Utilities & Railroad Section  
205 South 17<sup>th</sup> Avenue, Mail Drop 618E  
Phoenix, AZ 85007-3212

Alexander Popovici  
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Engineering Division Manager  
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Public Works Building  
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Tucson, AZ 85701-1207

Mr. Michael D. Norris  
Bureau of Reclamation  
Yuma Area Office  
7301 Calle Agua Salada  
Yuma, AZ 85364

*Roseann Osorio*

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**BEFORE THE ARIZONA CORPORATION COMMISSION**

**COMMISSIONERS**

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

IN THE MATTER OF THE ARIZONA CORPORATION COMMISSION, ON ITS OWN MOTION, TO ESTABLISH AN ARRAY OF PUBLIC RAIL/HIGHWAY GRADE CROSSINGS THROUGHOUT THE STATE OF ARIZONA.

DOCKET NO. RR-00000E-11-0020

DECISION NO. \_\_\_\_\_

**ORDER**

Open Meeting  
December 13 and 14, 2011

Phoenix, Arizona

BY THE COMMISSION:

**FINDINGS OF FACT**

1. Arizona Revised Statutes (A.R.S.) Sections 40-337.02 and 40-337.03 relate to the allocation of funds for the installation of automatic warning signals and devices at public railroad grade crossings and the determination of locations where the installation of automatic warning signals should occur on that date.

2. A.R.S. Section 40-337.03 enables the Arizona Corporation Commission (Commission), which has the exclusive power to determine and prescribe the manner and terms of installation of warnings at each railway crossing pursuant to A.R.S. Section 40-337, to establish an array of public railroad grade crossings to plan for the orderly installation of automatic warning signals and devices.

3. Although numerous hazard index formulas have been proposed over many years to assess the relative hazard of a grade crossing based upon some combination of its characteristics, no one such formula, or combination thereof, has universal acceptance. The development of the array and the determination of the warnings to be installed at crossings also involve the exercise of judgment.



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ORDER

THEREFORE, IT IS ORDERED that the array established in Decision No. 72020, as well as the crossings listed on Attachment 1, be and hereby is approved.

IT IS FURTHER ORDERED that this Decision shall become effective immediately.

**BY THE ORDER OF THE ARIZONA CORPORATION COMMISSION**

\_\_\_\_\_  
CHAIRMAN COMMISSIONER

\_\_\_\_\_  
COMMISSIONER COMMISSIONER COMMISSIONER

IN WITNESS WHEREOF, I ERNEST G. JOHNSON,  
Executive Director of the Arizona Corporation Commission,  
have hereunto, set my hand and caused the official seal of this  
Commission to be affixed at the Capitol, in the City of  
Phoenix, this \_\_\_\_\_ day of \_\_\_\_\_ 2011.

\_\_\_\_\_  
ERNEST G. JOHNSON  
Executive Director

DISSENT: \_\_\_\_\_

DISSENT: \_\_\_\_\_

1 SERVICE LIST FOR:  
2 DOCKET NO. RR-00000E-11-0020

3 Mr. Robert Travis  
4 Railroad Engineering Coordinator  
5 ADOT-Utilities & Railroad Section  
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