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BEFORE THE ARIZONA CORPORATION COMMISSION

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AZ CORP COMMISSION
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COMMISSIONERS

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

IN THE MATTER OF THE APPLICATION OF
UNION PACIFIC RAILROAD COMPANY FOR
APPROVAL TO INSTALL NEW CONSTANT
WARNING TIME DEVICE AT CITY OF TEMPE
QUIET ZONE PROJECT - 13TH ST HIGHWAY

DOCKET NO. RR-03639A-11-0039

WITHDRAWAL

Background and Recent Developments

In June, 2008, the City of Tempe issued a Notice of Intent to create a New Quiet Zone within the City of Tempe along the Union Pacific Railroad ("UPRR") Phoenix Main Line between Milepost 914.31 and Milepost 918.54. The New Quiet Zone includes ten (10) highway grade crossings.

At the time the Notice of Intent was issued, the City believed that the highway grade crossing at 13th Street required the installation of a Constant Warning Time ("CWT"). The City has since determined that installation of the CWT is not reasonably practical and that existing crossing conditions and supplemental safety measures being installed at this site will provide appropriate levels of safety for motorists, pedestrians and UPRR personnel. The City has obtained the concurrence of the Federal Railroad Administration in this determination.

Therefore, the City of Tempe hereby withdraws its application to order UPRR to install the CWT and requests that the matter be removed from the Corporation Commission's active agenda.

Respectfully submitted this 21st day of December, 2011.

City of Tempe

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