

ORIGINAL



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8 Attorneys for City of Chandler

AZ CORPORATION COMMISSION
DOCKET CONTROL
2012 NOV 20 PM 4:39

BEFORE THE ARIZONA CORPORATION COMMISSION

8 IN THE MATTER OF THE)
9 APPLICATION OF THE CITY OF)
10 CHANDLER TO UPGRADE AN)
11 EXISTING CROSSING OF THE UNION)
12 PACIFIC RAILROAD AT OCOTILLO)
13 ROAD IN THE CITY OF CHANDLER,)
14 MARICOPA COUNTY, ARIZONA,)
15 USDOT NO. 741-680-T.)

DOCKET NO. RR-03639A-12-0433
CITY OF CHANDLER'S
CERTIFICATION OF NOTICE
PURSUANT TO AMENDED
PROCEDURAL ORDER DATED
OCTOBER 16, 2012

13 Applicant City of Chandler, by and through counsel undersigned, hereby certifies
14 pursuant to the Amended Procedural Order dated October 16, 2012, that it complied with
15 said Amended Procedural Order by doing the following:

16 1. Providing by certified mail on October 22, 2012, a copy of City of Chandler's
17 application and a copy of the Amended Procedural Order to the following:

18 Alex Popovici, Manager
19 Industry & Public Projects
20 Union Pacific Railroad Company
631 S. 7th Street
Phoenix, AZ 85034-2203

21 Vicki Bever, Manager
22 Utility & Railroad Engineering
23 Arizona Department of Transportation
205 S. 17th Avenue, M/D 618E
24 Phoenix, AZ 85007-3212

Arizona Corporation Commission
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Anthony J. Hancock, Esq. (as attorney for Union Pacific)
Terrance L. Sims, Esq.
Beaugureau, Hancock, Stoll & Schwartz, P.C.
302 E. Coronado Road
Phoenix, AZ 85004

2. Providing by certified mail on November 16, 2012, a copy of City of Chandler's application and a copy of the Amended Procedural Order to the following:

Jayne Lewis, P.E.
Salt River Project - Papago Park Center
P.O. Box 52025 PAB343
Phoenix, AZ 85072-2025

3. Providing by certified mail on November 19, 2012, a copy of City of Chandler's application and a copy of the Amended Procedural Order to the following:

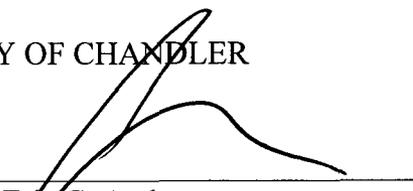
Wayne Butch
Maricopa County Dept. of Transportation
2901 W. Durango
Phoenix, Arizona 85009

Dwayne Dobson
Dwayne Dobson Farms, LLC
1200 W. Queen Creek Road
Chandler, Arizona 85248

4. Providing public notice of the hearing in this matter by November 2, 2012, by causing the notice stated in the October 16, 2012 Procedural Order to be published in the Arizona Business Gazette, a newspaper of general circulation in the county of Maricopa, State of Arizona, published weekly at Phoenix, Arizona. A copy of the Affidavit of Publication is attached hereto.

RESPECTFULLY SUBMITTED this 20 day of November, 2012

CITY OF CHANDLER

By: 
Eric C. Anderson,
Assistant City Attorney

1 ORIGINAL and THIRTEEN (13)
COPIES of the foregoing filed
2 this 20 day of November, 2012 with:

3 Docket Control
Arizona Corporation Commission
4 1200 West Washington Street
Phoenix, Arizona 85007

5
6 COPY of the foregoing hand-delivered
this 20 day of November, 2012, to:

7 Marc E. Stern
Administrative Law Judge
8 Arizona Corporation Commission
1200 W. Washington Street
9 Phoenix, Arizona 85007

10 Janice Alward, Chief Counsel
Legal Division
11 Arizona Corporation Commission
1200 W. Washington Street
12 Phoenix, AZ 85007

13 Lyn Farmer,
Chief Administrative Law Judge
14 Hearing Division
Arizona Corporation Commission
15 1200 W. Washington Street
Phoenix, AZ 85007

16 Brian Lehman, Chief
17 Railroad Safety Section of the Safety Div.
Arizona Corporation Commission
18 1200 W. Washington Street
Phoenix, AZ 85007

19 Steven M. Olea, Director
20 Utilities Division
Arizona Corporation Commission
21 1200 W. Washington Street
Phoenix, AZ 85007

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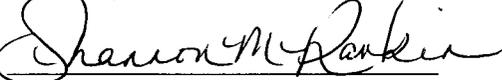
1 COPY of the foregoing mailed
this 20 day of November, 2012, to:

2
3 Alex Popovici, Manager
4 Industry & Public Projects
5 Union Pacific Railroad Company
6 631 S. 7th Street
7 Phoenix, AZ 85034-2203

8
9 Vicki Bever, Manager
10 Utility & Railroad Engineering
11 Arizona Department of Transportation
12 205 S. 17th Avenue, M/D 618E
13 Phoenix, AZ 85007-3212

14
15 Anthony J. Hancock
16 Terrance L. Sims
17 Beaugureau, Hancock, Stoll & Schwartz, P.C.
18 302 E. Coronado Road
19 Phoenix, AZ 85004
20 Attorneys for Union Pacific Railroad

21
22 Arizona Reporting Service, Inc.
23 2200 N. Central Ave, Suite 502
24 Phoenix, Arizona 85004-1481

25

Shannon M. Rankin

IN THE MATTER OF THE APPLICATION OF THE ARIZONA DEPARTMENT OF TRANSPORTATION TO UPGRADE AN EXISTING CROSSING OF THE UNION PACIFIC RAILROAD AT OCOTILLO ROAD IN THE CITY OF CHANDLER, MARICOPA COUNTY, ARIZONA.
USDOT NO. 741-680-T
(DOCKET NO. RR-03439A-12-0432)

On October 9, 2012, the City of Chandler ("City") filed with the Arizona Corporation Commission ("Commission") an application for approval for the Union Pacific Railroad ("Railroad") to upgrade an existing crossing at Ocotillo Road in the City which is located in Maricopa County, Arizona at USDOT No. 741-680-T.

The application is available for inspection during regular business hours at the Commission's offices, 1200 West Washington Street, Phoenix, Arizona, and on the internet via the Commission website (www.azcc.gov) using the e-docket function.

The Commission will hold a hearing on this matter commencing on December 10, 2012, at 10:00 a.m., at the Commission's offices, 1200 West Washington Street, Room 100, Phoenix, Arizona. Public comments will be taken on the first day of the hearing.

The law provides for an open public hearing at which, under appropriate circumstances, interested parties may intervene. Intervention shall be permitted to any person entitled by law to intervene and having a direct and substantial interest in the matter. Persons desiring to intervene must file a written motion to intervene with the Commission, which motion should be sent to Applicant or its counsel and to all parties of record, and which, at the minimum, shall contain the following:

1. The name, address, and telephone number of the proposed intervenor and of any party upon whom service of documents is to be made if different than the intervenor.

2. A short statement of the proposed intervenor's interest in the proceeding (e.g., a customer of Railroad, a neighboring property owner, a crossing user, etc.).

3. A statement certifying that a copy of the motion to intervene has been mailed to the Applicant or its counsel and to all parties of record in the case.

The granting of motions to intervene shall be governed by A.A.C. R14-3-105, except that all motions to intervene must be filed on or before November 16, 2012. The granting of intervention, among other things, entitles a party to present sworn evidence at hearing and to cross-examine other witnesses. However, failure to intervene will not preclude any customer from appearing at the hearing and making a statement on such customer's own behalf.

If you have any questions about this application, you may contact the City's representative, Kay Bigelow, Assistant City Attorney, at 480-782-4645. If you wish to file written comments on the application or want further information on intervention, you may write the Consumer Services Section of the Commission at 1200 West Washington Street, Phoenix, Arizona 85007, call 602-542-4251 or 1-800-222-7000, or appear at the hearing and make comment.

The Commission does not discriminate on the basis of disability in admission to its public meetings. Persons with a disability may request a reasonable accommodation such as a sign language interpreter, as well as request this document in an alternative format by contacting Shaylin Bernal, ADA Coordinator, voice phone number 602-542-3931, e-mail SABernal@azcc.gov. Requests should be made as early as possible to allow time to arrange the accommodation.

Published Nov. 1, 2012

AFFIDAVIT OF PUBLICATION
UPGRADE EXISTING UNION PACIFIC

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Arizona Business Gazette

The business resource

PO BOX 194
Phoenix, Arizona 85001-0194
(602) 444-7315 FAX (602) 444-7364

STATE OF ARIZONA }
COUNTY OF MARICOPA } SS.

Manny Vargas, being first duly sworn, upon oath deposes and says: That he is the Legal Ad Rep of the Arizona Business Gazette, a newspaper of general circulation in the county of Maricopa, State of Arizona, published weekly at Phoenix, Arizona, and that the copy hereto attached is a true copy of the advertisement published in the said paper on the dates indicated.

11/1/2012

Sworn to before me this
1ST day of
NOVEMBER 2012



[Handwritten Signature]

[Handwritten Signature]
Notary Public