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BEFORE THE ARIZONA CORPORATION COMMISSION

JIM IRVIN
COMMISSIONER - CHAIRMAN
RENZ D. JENNINGS
COMMISSIONER
CARL J. KUNASEK
COMMISSIONER

DOCKETED BY

IN THE MATTER OF THE APPLICATION)
OF THE CITY OF PEORIA FOR THE)
IMPROVEMENT OF AN EXISTING)
RAILROAD CROSSING AT 91ST AVENUE)
NORTH OF GRAND AVENUE IN PEORIA,)
ARIZONA.)

DOCKET NO. RR-02635B-98-0422

DECISION NO. 6119

OPINION AND ORDER

DATE OF HEARING: August 18, 1998
PLACE OF HEARING: Phoenix, Arizona
PRESIDING OFFICER: Teena Wolfe
APPEARANCES: Mr. Peter Breen, Staff Attorney, Legal Division on behalf
of the Utilities Division of the Arizona Corporation
Commission.

BY THE COMMISSION:

On July 27, 1998, the City of Peoria ("Peoria") filed with the Arizona Corporation Commission ("Commission") a request for an Opinion and Order ("Application") with respect to the upgrade of an existing at-grade crossing of a Burlington Northern Railroad ("Railroad") track at 91st Avenue north of Grand Avenue in Peoria, Arizona, due to road widening. Peoria will be responsible for the upgrade of the existing crossing protection devices. By Procedural Order dated July 29, 1998, the Application was set for a hearing and Peoria was ordered to provide notice of the Application and hearing to the Railroad and any interested party that might be affected by the Application. On August 7, 1998, Peoria filed with the Commission certification of its compliance with the notification requirements of the July 29, 1998 Procedural Order.

On August 18, 1998, a hearing was held before a duly authorized Hearing Officer of the Commission at its offices in Phoenix, Arizona. At the conclusion of the hearing, the Hearing Officer took the matter under advisement pending submission of a Recommended Opinion and Order to the Commission.

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1 SERVICE LIST FOR: BURLINGTON NORTHERN SANTA FE RAILWAY COMPANY

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