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BEFORE THE ARIZONA CORPORATION COMMISSION

RECEIVED

COMMISSIONERS

DOUG LITTLE – Interim Chairman  
BOB STUMP  
BOB BURNS  
TOM FORESE  
VACANT

2016 FEB -9 A 11: 53

AZ CORP COMMISSION  
DOCKET CONTROL

IN THE MATTER OF THE APPLICATION OF  
THE ARIZONA DEPARTMENT OF  
TRANSPORTATION TO UPGRADE AN  
EXISTING AT-GRADE CROSSING OF THE  
BNSF RAILWAY AT THE GRAND  
AVENUE/THUNDERBIRD ROAD  
INTERSECTION IN THE CITY OF EL MIRAGE,  
MARICOPA COUNTY, ARIZONA, USDOT NO.  
025631X.

DOCKET NO. RR-02635B-15-0198

**NOTICE OF EXECUTION OF  
MAINTENANCE AND USE  
AGREEMENT (AMENDED  
CAPTION)**

The Arizona Department of Transportation, by and through undersigned counsel, hereby files this Notice Execution of Maintenance and Use Agreement as requested by Administrative Law Judge Marc Stern. The Maintenance and Use Agreement (C&M Agreement) between the Arizona Department of Transportation (ADOT) and the Burlington Northern & Santa Fe Railway Company (BNSF) was executed. Commission Railroad Safety Section Staff have been provided with a copy of the Agreement, however the document itself is not provided with this filing due to its lengthy 78 pages. A copy will be provided to any party upon request.

DATED this 9<sup>th</sup> day of February, 2016.

Arizona Corporation Commission  
**DOCKETED**

FEB 09 2016

DOCKETED BY *[Signature]*

Mark Brnovich  
Attorney General

*[Signature]*  
Michelle Burton  
Assistant Attorney General  
Attorney for the Arizona Department of  
Transportation

1 Copies of the foregoing mailed/delivered  
This 9<sup>th</sup> day of February, 2016 to:

2 Sayeed M. Hani  
3 Railroad and Utility Coordinator  
ARIZONA DEPARTMENT OF TRANSPORTATION  
4 205 S. 17<sup>th</sup> Avenue, Room 357 MD 618E  
Phoenix, AZ 85007

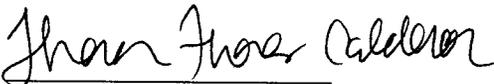
5 Matthew Keim  
6 Manager of Public Projects  
BNSF RAILWAY  
7 740 E. Carnegie Drive  
San Bernardino, CA 92408-3571

8 Patrick Black  
9 FENNEMORE CRAIG, P.C.  
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13 Janice Alward, Chief Counsel  
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16 Brian Lehman, Chief  
Railroad Safety Section and of the Safety Division  
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19 By:   
20 Theresa Flores Calderon

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