

**ORIGINAL**

**COMMISSIONERS**  
DOUG LITTLE – Chairman  
BOB STUMP  
BOB BURNS  
TOM FORESE  
ANDY TOBIN



0000172840

Direct Line: (602) 542-3933  
Fax: (602) 542-5560  
E-mail: forese-web@azcc.gov

**ARIZONA CORPORATION  
COMMISSION**

August 24, 2016 Arizona Corporation Commission

**DOCKETED**

**AUG 24 2016**

Re: Docket No. RR-00000E-16-0152

Dear Colleagues and Interested Parties:

DOCKETED BY *[Signature]*

RECEIVED  
AZ CORP COMMISSION  
DOCKET CONTROL  
2016 AUG 24 P 3:43

One of the principal reasons Arizona's founding fathers created the Arizona Corporation Commission was to place a check on the notoriously powerful railroad companies. Sadly, the concerns that our founding fathers considered at statehood still exist today.

Arizona communities have increasingly found it difficult to work with railroad companies. Safety issues and the unwillingness to cooperate with local governments is a constant concern. It is not uncommon to hear communities trying to improve their neighborhoods by adding crossings only to have railroads demand that they shut others down.

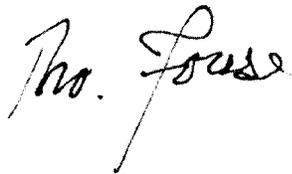
Much of the power to ensure railroad companies are not causing harm resides thousands of miles away. However, Arizona still retains the ability to oversee the safety of railroad crossings in our communities and neighborhoods.

Luckily, fellow Commissioners and the Commission's Railroad Safety Division take these safety challenges seriously. The 1st, 2nd, 3rd, 5th, and 12th most dangerous railroad crossings in the nation are in Arizona. Commissioners and the Safety Division have been heeding the call and working hard with the parties involved to change the status of the above mentioned crossings. The Commission has also approved the hiring of additional staff for track and crossing inspections. I commend these efforts and suggest that we continue to widen our gaze in considering the much bigger problem our state faces.

Railroad companies have had a history of malfeasance in Arizona which has resulted in unsafe conditions in our neighborhoods. In the past, the Commission has responded with comparably small measures. That is why I am taking several steps to encourage a safer environment for Arizona residents.

To start, I will be reviewing current state laws and regulations pertaining to the duties of railroad companies in Arizona. The Commission needs to consider much more robust safety and maintenance requirements than those existing on the books today. Included in this review will be consideration of substantially higher fines which would actually encourage compliance with these heightened standards. Arizona should have the safest crossings in the country, not the most dangerous.

Until then, it is time for the current Commission to tighten up its enforcement. Although all complaints before the Commission will be decided on their individual merits, I encourage fellow Commissioners to consider maximum fines and requirements in their deliberations.

A handwritten signature in black ink that reads "Tom Forese". The signature is written in a cursive style with a long, sweeping tail on the letter "e".

Tom Forese  
Commissioner

## CERTIFICATION OF SERVICE

On this 24th day of August, 2016, the foregoing document was filed with Docket Control as Correspondence from Commissioner Tom Forese and copies of the foregoing were mailed on behalf of the Commissioner to the following who have not consented to email service. On this date or as soon as possible thereafter, the Commission's eDocket program will automatically email a link of the foregoing document to the following who have consented to email service.

Chris Watson  
2200 N. Central Ave.  
Suite 300  
Phoenix Arizona 85004

Brian Lehman  
2200 North Central Avenue, Suite 300  
Phoenix Arizona 85004

Janice Alward  
ARIZONA CORPORATION COMMISSION  
1200 W. Washington  
Phoenix Arizona 85007

Dwight Nodes  
ARIZONA CORPORATION COMMISSION  
1200 W. Washington  
Phoenix Arizona 85007-2927  
HearingDivision@azcc.gov  
**Consented to Service by Email**

By: K. Aceto  
Kelly Aceto  
Executive Aide to Commissioner Tom Forese