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BEFORE THE ARIZONA CORPORATION COMMISSION

TOM FORESE
Chairman
BOB BURNS
Commissioner
DOUG LITTLE
Commissioner
ANDY TOBIN
Commissioner
BOYD DUNN
Commissioner

Arizona Corporation Commission

DOCKETED

MAY 22 2017

DOCKETED BY
GB

IN THE MATTER OF THE APPLICATION)
FOR ARIZONA CORPORATION)
COMMISSION (RAILROAD SAFETY) FOR)
APPROVAL OF THE 2017 GRADE)
CROSSING ARRAY.)

DOCKET NO. RR-00000E-17-0018

DECISION NO. 76075

Open Meeting
May 9 and 10, 2017
Phoenix, Arizona

BY THE COMMISSION:

FINDINGS OF FACT

1. Arizona Revised Statutes (A.R.S.) Sections 40-337.02 and 40-337.03 relate to the allocation of funds for the installation of automatic warning signals and devices at public railroad grade crossings and the determination of locations where the installation of automatic warning signals should occur on that date.

2. A.R.S. Section 40-337.03 enables the Arizona Corporation Commission (Commission), which has the exclusive power to determine and prescribe the manner and terms of installation of warnings at each railway crossing pursuant to A.R.S. Section 40-337, to establish an array of public railroad grade crossings to plan for the orderly installation of automatic warning signals and devices.

3. Although numerous hazard index formulas have been proposed over many years to assess the relative hazard of a grade crossing based upon some combination of its characteristics, no one such formula, or combination thereof, has universal acceptance. The development of the array and the determination of the warnings to be installed at crossings also involve the exercise of judgment.

1 4. The array establishes crossings where the installation of automatic warning signals and
 2 devices should be considered in accordance with the above referenced legislation, depending upon the
 3 availability of monies, material, labor and other factors involved in such installation. The inclusion of a
 4 crossing on the array, however, does not mean that existing warning signs or signals, if any, are
 5 inadequate to enable an ordinary, prudent motorist to safely pass over the crossing. Conversely, a public
 6 crossing not appearing on the array does not exclude it from being improved under this program if it
 7 becomes an increased hazard to safety prior to the issuance of the next annual array.

8 5. The array first became effective on July 1, 1977. It is in the best interest of public safety,
 9 considering the current state and federal appropriations which have been allocated for the acquisition
 10 and installation of automatic warning signals and devices at public grade crossings in Arizona, for the
 11 array to be supplemented as provided herein.

12 6. In order to promote the timely installation of warning signals and crossing upgrades,
 13 Staff, with representatives of Arizona Department of Transportation and the Federal Highway
 14 Administration, have determined that four additional crossings should be placed on the 2017 array for
 15 upgrade with improved surfaces and one crossing be added to the array for both improved surface work
 16 and visibility upgrades.

17 7. Staff has recommended that the array approved by the Commission in Decision No.
 18 75489 dated March 10, 2016, be reaffirmed and that the crossings listed in Attachment 1 be added to
 19 the array.

CONCLUSIONS OF LAW

21 1. Some Public railway/highway grade crossings in Arizona are eligible to receive Federal
 22 funds for the installation of automatic warning signals and devices under the 23 U.S.C. § 130. These
 23 monies were appropriated in recognition of the public responsibility to improve safety at
 24 railway/highway crossings, and may be used to pay one hundred (100) percent of the total installation
 25 cost of each project.

1 2. Pursuant to the Commission's exclusive power over railway/highway crossings, the array
2 shall establish the public grade crossings in Arizona at which changes in signalization may be made
3 under A.R.S. Sections 40-337, et seq.

4 ORDER

5 THEREFORE, IT IS ORDERED that the array established in Decision No. 75489, as well as
6 the crossings listed on Attachment 1, be and hereby is approved.

7 IT IS FURTHER ORDERED that this Decision shall become effective immediately.

8
9 **BY THE ORDER OF THE ARIZONA CORPORATION COMMISSION**

10 
11 CHAIRMAN FORESE


11 COMMISSIONER DUNN

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14 
COMMISSIONER TOBIN


COMMISSIONER LITTLE


COMMISSIONER BURNS



15 IN WITNESS WHEREOF, I, TED VOGT, Executive Director
16 of the Arizona Corporation Commission, have hereunto, set my
17 hand and caused the official seal of this Commission to be
18 affixed at the Capitol, in the City of Phoenix, this 22nd day
of May, 2017.

19
20 
21 TED VOGT
22 EXECUTIVE DIRECTOR

23 DISSENT: _____

24 DISSENT: _____

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1 SERVICE LIST FOR: 2017 Railroad Crossing Array
 2 DOCKET NO.: RR-00000E-17-0018

3 Chris Watson
 4 Arizona Corporation Commission
 5 Railroad Safety Supervisor
 6 1300 West Washington Street
 7 Phoenix, Arizona 85007

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 General Manager
 Arizona Eastern Railway Company
 5903 South Calle De Loma
 Claypool, Arizona 85532

6 Michele Burton
 7 Assistant Attorney General
 8 Office of the Attorney General
 9 1275 West Washington Street
 10 Phoenix, Arizona 85007

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 12 Arizona Department of Transportation
 13 205 South 17th Avenue, Room 357 MD 618E
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Consented to Service by Email

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ATTACHMENT 1

Infrastructure Delivery and Operations

Douglas A. Ducey, Governor
 John S. Halikowski, Director
 Dallas Hammit, State Engineer
 Steve Boschen, Division Director

February 16, 2017

Mr. Jason Pike
 Grade Crossing Inspector
 Arizona Corporation Commission
 1300 W. Washington Street
 Phoenix, AZ 85007

Subject: Railroad-Highway Crossing ARRAY 2017

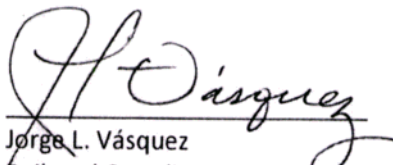
Dear Mr. Pike,

Below are the five (5) proposed railroad upgrade crossings for the ARRAY 2017, under Section 130.

<u>DOT#</u>	<u>RR</u>	<u>RRMP</u>	<u>Location</u>	<u>City</u>	<u>County</u>	<u>Work</u>	<u>Est'd Cost</u>
025-033J	BNSF	286.20	Washington St.	Winslow	Navajo	Surface	\$ 70,000
025-518E	BNSF	189.66	29 th Avenue	Phoenix	Maricopa	Surface	\$ 90,000
025-628P	BNSF	197.10	44 th Avenue	Phoenix	Maricopa	Surface	\$ 110,000
025-831G	BNSF	193.06	Lincoln St.	Phoenix	Maricopa	Surface	\$ 110,000
741-892W	AZER	1,215.90	Park Avenue	Clifton	Greenlee	Surface & Visibility	\$ 150,000
Total Estimated Cost:							\$ 530,000

If you have any questions regarding this submittal, feel free to contact me at your earliest convenience.

Sincerely,



Jorge L. Vásquez
 Railroad Coordinator - Section 130
 ADOT - URR Section
 205 South 17th Avenue - Room 357
 Phoenix, AZ 85007
 JVasquez@azdot.gov