



State of Utah

JON M. HUNTSMAN, JR.
Governor

GARY R. HERBERT
Lieutenant Governor

DEPARTMENT OF TRANSPORTATION

JOHN R. NJORD, P.E.
Executive Director

CARLOS M. BRACERAS, P.E.
Deputy Director

UTAH PUBLIC
SERVICE COMMISSION

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February 1, 2005

Ms. Julie Orchard
Commission Administrator
Public Service Commission of Utah
Heber M. Wells Building, 4th Floor
160 East 300 South
Salt Lake City UT 84111

Re: Appeal to UDOT Ruling on 13200 South Railroad Crossing, Draper, UT

Dear Ms. Orchard, *Julie*

The Utah Department of Transportation issued a ruling on January 11, 2005, ordering the closure of a certain railroad crossing located on 13200 South near 1600 East in Draper, UT. This railroad crossing has been assigned inventory number DOT 807-053G. Enclosed with this letter is a copy of the official closure order. This track is currently listed as "out of service" but may be returned to service at any time, after the proper inspections are performed.

This ruling was made after consulting with the Utah Transit Authority (UTA) and Draper City. A public meeting was also held on September 27, 2004, and many comments were made regarding the proposed action, both for and against closure. Both UTA and Draper City officially support closure of the crossing. Recognizing that the authority of the Department is derived from the need to protect the safety of the public, the Department decided that safety interests are best served by closing the crossing now, thus eliminating any future highway/rail conflicts.

Please feel free to call Michael Seely, UDOT Chief Railroad Engineer, with any questions you may have concerning this matter. He can be reached via email at mseely@utah.gov, or at 801-965-4176.

Sincerely,

Carlos M. Braceras, P.E.
Deputy Director

CMB/MS/la

Enclosure



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January 11, 2005

Case No. 2004-UTA-CX1
Proposed Closure of DOT 807-053G
13200 South 1600 East
Draper, UT

Authority of the Department

The Utah Department of Transportation (UDOT), is authorized to make determinations regarding railroad crossings over public roads, streets, and highways under §54-4-15 of the Utah Code and R930-5, Utah Administrative Code.

Ruling and Decision of the Department

Having taken into consideration input from the City, Railroads, and Public regarding the proposed action, the Department finds that this crossing should be closed. Draper City and Utah Transit Authority shall submit closure plans to UDOT, for its approval. These plans shall be submitted not less than 30 days from the date of this order. These plans shall include:

- Provisions for the removal of existing crossing material, street approaches, signs and pavement markings,
- Locations of permanent signing to remain, and
- Plans for public notification of the crossing, with detours clearly marked for 7 days before and 7 days after the closure has taken place.

Pursuant to Utah Code 54-4-15.4(a), an appeal of this Department decision may be made to the Utah Public Service Commission. Persons wishing to file an appeal should contact Julie Orchard, Commission Administrator, 801-530-6716, or at jorchard@utah.gov via email.

So ordered this 11th day of January, 2005


Michael S. Seely, P.E.
Chief Railroad Engineer