

January 4, 2006

Utah Public Service Commission
C/O Julie Orchard, Commission Administrator
Heber M. Wells Bldg.
160 East 300 South, 4th Floor
Salt Lake City, Utah 84111

RE: Appeal of UDOT Decision Case No. 2005-CL2

Dear Ms. Orchard:

The City is requesting an appeal of the Utah Department of Transportation decision not to close the 300 North railroad crossing in Brigham City. It is the feeling of Brigham City that the Utah Department of Transportation should reconsider their decision not to close the crossing since the Larsen Dairy is the only affected business. By not closing the 300 North crossing, more businesses than just one will be substantially affected

Forest Street is a primary gateway entrance into Brigham City. The railroad crossing on Forest Street has become a source of great contention in our City. Union Pacific uses this area as a switching yard so at any number of times during the day the crossing may be closed for extended periods creating traffic problems and delays on Forest Street. This constant closing and opening of this crossing is creating an economic burden on the City as well as a safety problem.

The inconsistency of the Forest Street crossing reduces the City's response time by our police, fire and ambulance to any type of emergency west of the railroad. The only other way for City's public safety departments to respond to an incident west of the railroad line when the crossing is closed is to go north six blocks which significantly reduces their response time. Many businesses within Brigham City use Forest Street as their primary access to Interstate 15. By having a railroad crossing which may close for a period of time creates a lack of confidence in the industrial areas of the City. Today, modern businesses operates on very tight transportation schedules. If product is restricted or delayed due to transportation limitation this hurts the City's economic development potential.

By closing the 300 North crossing, the railroad can shift more of their switching operation further north away from the Forest Street crossing. This would reduce the delay times at the Forest Street Crossing and resolve many of these problems. We conclude that leaving the crossing open benefits only one business and penalizes many other businesses within Brigham City.

We would ask that you take the above issues under consideration and work with the City to resolve this very difficult problem. If you have any additional questions or concerns that we may address, please feel free to contact us. We look forward to hearing from you regarding this matter.

Sincerely,

Mayor Lou Ann Christensen

cc: Mark Teuscher, Planner