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Attorneys for Utah Department of Transportation

BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH

In the Matter of Union Pacific Railroad's
Petition for Relief against the Utah Department
of Transportation

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: DOCKET NO. 09-888-01
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: **UTAH DEPARTMENT OF**
: **TRANSPORTATION'S STATEMENT**
: **OF UNDISPUTED FACTS**
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Utah Department of Transportation ("UDOT") submits its Statement of Undisputed Facts.

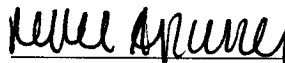
STATEMENT OF UNDISPUTED FACTS

1. UDOT temporarily closed 400 North crossing because the crossing is unsafe.

2. Further modifications to the crossing must occur before the crossing complies with applicable standards.
3. The crossing is not currently being used as part of Vineyard's public road system.
4. The east side of the crossing enters into private property with no access to the public.
5. A private gate, which has been previously closed, exists to the east of the crossing.
6. The approach roadways need to be modified in order to be safe.
7. The current approach roadway does not meet the design standards for the interface of roadways and crossings.

Dated this 30th day of June, 2010

UTAH ATTORNEY GENERAL'S OFFICE



Renee Spooner
Assistant Attorney General

MAILING CERTIFICATE

I hereby certify that I mailed a true and correct copy of the foregoing UDOT's **Statement of Undisputed Facts**, postage prepaid, this 30th day of June, 2010, to the following:

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