

Decision No. C24-0436

**BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO**

PROCEEDING NO. 23A-0458R

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IN THE MATTER OF THE APPLICATION OF CITY AND COUNTY OF DENVER FOR AUTHORITY TO ALTER THE EXISTING AT-GRADE CROSSING AND MODIFY WARNING DEVICES OF THE BURLINGTON NORTHERN SANTA FE RAILWAYS TRACKS NEAR THE INTERSECTION OF SOUTH KALAMATH STREET AND WEST BAYAUD AVENUE (US DOT #245394V) IN THE CITY AND COUNTY OF DENVER, STATE OF COLORADO.

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**COMMISSION DECISION GRANTING  
MOTION FOR EXTENSION OF TIME**

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Issued Date: June 26, 2024  
Adopted Date: June 17, 2024

**I. BY THE COMMISSION**

**A. Statement**

1. This matter comes before the Commission for consideration of an Unopposed Motion for Extension of Time (Motion) filed by the City and County of Denver (“Denver”) on June 10, 2024, requesting an extension of time to September 30, 2024, to file a copy of the signed Construction and Maintenance (“C&M”) Agreement for this project with the Commission.

2. As grounds, Denver states that parties have made progress in finalizing a C&M Agreement for the approved improvements for this project, but need additional time to finalize the C&M Agreement. Denver requests an additional extension of time to September 30, 2024, to file a signed copy of the agreement.

3. Denver conferred with counsel for the BNSF Railway and BNSF does not object to the relief sought in this Motion.

4. The Commission retains jurisdiction to enter further decisions as necessary,

5. Now being fully advised in the matter, we grant the Motion.

## **II. ORDER**

### **A. The Commission Orders That:**

1. The Unopposed Motion for Extension of Time (“Motion”) filed by the City and County of Denver (“Denver”) on June 10, 2024, requesting an extension of time to September 30, 2024. to file a copy of the signed Construction and Maintenance (“C&M”) Agreement for this project with the Commission is granted.

2. Denver shall file the signed C&M Agreement for this project by September 30, 2024.

3. This Decision is effective on its Issued Date.

**B. ADOPTED IN COMMISSIONERS' WEEKLY MEETING  
June 17, 2024.**

(S E A L)



ATTEST: A TRUE COPY

Rebecca E. White,  
Director

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

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Commissioners