

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

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THE APPLICATION OF THE REGIONAL)
TRANSPORTATION DISTRICT AND THE)
DENVER AND RIO GRANDE WESTERN)
RAILROAD COMPANY FOR AUTHORITY)
TO REMOVE THE DENVER AND)
RIO GRANDE WESTERN RAILROAD)
COMPANY'S FORMER SOUTHBOUND)
MAIN, TO UPGRADE THE FORMER)
DENVER AND RIO GRANDE WESTERN)
RAILROAD NORTHBOUND MAIN, TO)
INSTALL A NEW LRT TRACK AND THE)
GENERAL CONSTRUCTION OF ONE)
RAILROAD CROSSING AND TWO LIGHT)
RAIL CROSSINGS AT WEST)
13TH AVENUE IN THE CITY AND)
COUNTY OF DENVER, STATE OF)
COLORADO.)

DOCKET NO. 92A-660R

INTERIM ORDER OF
ADMINISTRATIVE LAW JUDGE
WILLIAM J. FRITZEL

Mailed Date: January 14, 1993

STATEMENT

On December 28, 1992, Applicants, The Regional Transportation District (RTD) and the Denver and Rio Grande Western Railroad Company (D&RGW) filed a Motion to Vacate Hearing, to Proceed Without Formal Hearing, and for Extension of Time to Submit List of Witnesses and Exhibits. Applicants request that this docket be handled under the Commission's no-hearing procedure since the application is unopposed. Although Staff of the Commission has intervened, it does not oppose the granting of the application. Applicants further state that federal funds have been allocated for the project and therefor allocation by the Commission pursuant to § 40-4-106(2)(b), C.R.S., is unnecessary.

Since this application is unopposed, the matter may be handled without a formal oral hearing pursuant to the provisions of § 40-6-109(5), C.R.S., and Rule 24(a) of the Commission's Rules of Practice and Procedure.

ORDER

IT IS ORDERED THAT:

1. The motion of The Regional Transportation District and the Denver and Rio Grande Western Railroad Company to handle this matter under the Commission's modified procedure and to vacate the hearing of this docket is granted.

2. Docket No. 92A-660R shall be considered under the Commission's modified procedure pursuant to Rule 24 of the Commission's Rules of Practice and Procedure and § 40-6-109(5), C.R.S.

3. Applicants shall within 30 days of the effective date of this Order file any supplemental material required by the Commission.

4. The hearing of this docket on January 15, 1993, at 9:00 a.m. is vacated.

5. The request of Applicants for an extension of time to submit its list of witnesses and exhibits is moot since this matter will be handled without a hearing and therefore the motion is denied.

6. This Order is effective immediately.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO



Administrative Law Judge

WJF:srs