

Decision No. R20-0443-I

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

PROCEEDING NO. 19A-0552R

IN THE MATTER OF THE APPLICATION OF THE CITY OF WESTMINSTER FOR AUTHORITY TO UPGRADE APPROACH RAILROAD GATES WITH FLASHING LIGHTS, BELLS, CONSTANT WARNING TIME CIRCUITRY, NEW SIGNAL CABIN, UPGRADE OVERHEAD CANTILEVER FLASHERS, AND INSTALL RAISED MEDIANS, AT TRACKS OWNED BY BNSF RAILWAY COMPANY CROSSING LOWELL BOULEVARD, USDOT NO. 244778B, IN ADAMS COUNTY, STATE OF COLORADO.

PROCEEDING NO. 19A-0553R

IN THE MATTER OF THE APPLICATION OF THE CITY OF WESTMINSTER FOR AUTHORITY TO INSTALL RAISED MEDIANS, MODIFY OUTER CURBLINES AND CLOSE AN ADJACENT TURN BAY ON APPROACH TO TRACKS OWNED BY BNSF RAILWAY COMPANY CROSSING WEST 72ND AVENUE, USDOT NO. 244779H, IN ADAMS COUNTY, STATE OF COLORADO.

PROCEEDING NO. 19A-0554R

IN THE MATTER OF THE APPLICATION OF THE CITY OF WESTMINSTER FOR AUTHORITY TO UPGRADE APPROACH RAILROAD GATES WITH FLASHING LIGHTS AND BELLS, INSTALL EXIT RAILROAD GATES TO COMPLETE A 4-QUADRANT GATE INSTALLATION, UPGRADE CIRCUITRY TO CONSTANT WARNING TIME CIRCUITRY, AND INSTALL NEW RAILROAD SIGNAL CABIN, AT TRACKS OWNED BY BNSF RAILWAY COMPANY CROSSING BRADBURN BOULEVARD, USDOT NO. 244780C, IN ADAMS COUNTY, STATE OF COLORADO.

**INTERIM DECISION OF
ADMINISTRATIVE LAW JUDGE
G. HARRIS ADAMS
VACATING HEARING
AND PROCEDURAL SCHEDULE**

Mailed Date: June 16, 2020

I. STATEMENT

1. By Decision Nos. R20-0224-I, issued April 6, 2020, and R20-0238-I, issued June 11, 2020, an evidentiary hearing was scheduled to commence in this consolidated proceeding on June 22, 2020.

2. On June 12, 2020, a Notice of Resolution and Withdrawal of Request for Hearing (Notice of Resolution) was filed by BNSF Railway Company (BNSF). BNSF withdraws its request for a hearing and advises with the City's consent that the hearing should be vacated and final approval of the Applications should be granted.

3. BNSF's Notice of Resolution will be construed as an unopposed joint motion to vacate the evidentiary hearing and procedural schedule, and to grant the unopposed applications.

4. The request being unopposed, response time will be waived. The request to vacate the evidentiary hearing and procedural schedule will be granted. The remainder of the requested relief will be addressed by separate decision.

II. ORDER

A. It Is Ordered That:

1. The unopposed joint request to vacate the evidentiary hearing and procedural schedule is granted.

2. The hearing scheduled for June 22, 2020 is vacated.

3. All ordered procedural requirements, deadlines, and schedule are vacated.

4. The remainder of any pending requested relief will be addressed by separate decision.

5. This Decision shall be effective immediately.

(S E A L)



THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

G. HARRIS ADAMS

Administrative Law Judge

ATTEST: A TRUE COPY

A handwritten signature in cursive script that reads 'Doug Dean'.

Doug Dean,
Director