

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

DOCKET NO. 02A-483R

IN THE MATTER OF THE APPLICATION FOR THE CITY OF THORNTON, COLORADO,
FOR AN ORDER AUTHORIZING THE RELOCATION OF RAIL-HIGHWAY CROSSING
PROTECTION DEVICES ON THE RIGHT-OF-WAY OF THE UNION PACIFIC RAILROAD
COMPANY AND 128TH AVENUE NEAR CLAUDE COURT. (DOT CROSSING NO. 804-
303G) THORNTON, COLORADO

**INTERIM ORDER OF
ADMINISTRATIVE LAW JUDGE
KEN F. KIRKPATRICK
VACATING HEARING**

Mailed Date: January 13, 2003

I. STATEMENT

1. On January 10, 2003, Staff of the Public Utilities Commission (Staff) filed its Unopposed Motion to Vacate Hearing. By this motion Staff seeks to vacate the hearing in this matter currently scheduled for January 16, 2003. As grounds for the motion Staff states that it, Applicant City of Thornton (City), and Intervenor Union Pacific Railroad Company (Railroad) had been attempting to negotiate a settlement to this proceeding. However, in initial settlement discussions the City and the Railroad have agreed to investigation alternative crossing protection device configurations. This process will require a new design proposal, which will require at least 12 weeks to complete. After completion all parties will need an opportunity to review the design and further negotiate.

2. The Commission encourages negotiated settlements to contested proceedings. Therefore the motion will be granted. The parties are ordered to file a Joint Status Report no later than May 1, 2003.

II. ORDER

A. It Is Ordered That:

1. The hearing in this matter scheduled for January 16, 2003 is vacated.
2. The parties shall file a Joint Status Report by May 1, 2003, indicating the status of this proceeding.
3. This Order shall be effective immediately.

(S E A L)



THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

KEN F. KIRKPATRICK

Administrative Law Judge

ATTEST: A TRUE COPY

Bruce N. Smith
Director