

Decision No. R04-0594-I

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

DOCKET NO. 03A-548R

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IN THE MATTER OF THE APPLICATION OF OTERO COUNTY, COLORADO, FOR AN ORDER AUTHORIZING THE INSTALLATION OF RAILROAD CROSSING PROTECTION DEVICES TO BE CONSTRUCTED ON THE RIGHT OF WAY OF THE BURLINGTON NORTHERN AND SANTA FE RAILWAY COMPANY AND COUNTY ROAD 21 (DOT#003-375X).

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

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Mailed Date: June 4, 2004

**I. STATEMENT**

1. This an application by Otero County for an order of the Commission authorizing the installation of railroad crossing protection devices where the tracks of the Burlington Northern and Santa Fe Railroad Company cross County Road 21 in unincorporated Otero County, Colorado. Further, Otero County seeks to have a portion of the cost of the crossing protection devices paid from the Highway Crossing Protection Fund. Therefore a hearing will be held under § 40-4-106(2)(b), C.R.S. The hearing will be held simultaneously in two locations. The Administrative Law Judge will be in the Commission's offices in Denver. That location will be connected by telephone to a room in the Otero County Courthouse in La Junta, Colorado. All parties and interested persons may offer testimony or make comments concerning this application at either location.

**II. ORDER**

**A. It Is Ordered That:**

1. A hearing in this matter will be held simultaneously at the two following locations. The first location will be:

DATE: June 24, 2004  
TIME: 9:00 a.m.  
PLACE: Commission Hearing Room  
1580 Logan Street, OL2  
Denver, Colorado

The second location is:

DATE: June 24, 2004  
TIME: 9:00 a.m.  
PLACE: Otero County Courthouse  
Room 107  
13 W. 3rd  
La Junta, Colorado

2. This Order shall be effective immediately.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

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Administrative Law Judge