

Decision No. R04-1124-I

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

DOCKET NO. 04A-094R

IN THE MATTER OF THE APPLICATION OF THE COUNTY OF ROUTT, COLORADO, FOR AN ORDER AUTHORIZING THE INSTALLATION OF A RAIL-ROAD CROSSING PROTECTION DEVICE TO BE CONSTRUCTED ON THE RIGHT-OF-WAY OF THE UNION PACIFIC RAILROAD COMPANY AND ROUTT COUNTY ROAD 14 ADJACENT TO ROUTT COUNTY ROAD 205 (DOT CROSSING NO 253-672E) STEAMBOAT SPRINGS, COLORADO.

DOCKET NO. 04A-189R

IN THE MATTER OF THE APPLICATION OF MORGAN COUNTY, COLORADO FOR AN ORDER AUTHORIZING THE INSTALLATION OF SIGNAL LIGHTS AND OTHER PROTECTIVE DEVICES TO BE CONSTRUCTED ACROSS THE TRACKS AND RIGHT-OF-WAY OF THE BURLINGTON NORTHERN SANTA FE RAILROAD COMPANY AT DOT #57262S ON COUNTY ROAD 25 IN BRUSH, MORGAN COUNTY, COLORADO.

DOCKET NO. 04A-200R

IN THE MATTER OF THE APPLICATION OF THE CITY OF AURORA, COLORADO FOR AUTHORITY TO TIE TRAFFIC SIGNAL RAILROAD INTERCONNECT EQUIPMENT FOR TRAFFIC SIGNALS AT SMITH ROAD AND TOWER ROAD INTO THE UNION PACIFIC RAILROAD COMPANY SIGNAL BOX AT TOWER ROAD.

DOCKET NO. 04A-374R

IN THE MATTER OF THE APPLICATION OF THE COUNTY OF JEFFERSON FOR AUTHORITY TO WIDEN AND SIGNALIZE THE RAILROAD HIGHWAY CROSSINGS OF THE BURLINGTON NORTHERN AND SANTA FE RAILWAY COMPANY AT MCINTYRE STREET IN THE COUNTY OF JEFFERSON, STATE OF COLORADO.

**INTERIM ORDER OF
ADMINISTRATIVE LAW JUDGE
DALE E. ISLEY**

**SETTING MEDIATION CONFERENCE
AND ESTABLISHING PROCEDURES**

Mailed Date: September 28, 2004

I. STATEMENT

1. On September 24, 2004, the Staff of the Colorado Public Utilities Commission (Staff) filed a Joint Petition for Commission-Assisted Mediation and Request for Waiver of Response Time (Petition) in the captioned consolidated proceedings.

2. The Petition requests that these matters be scheduled for a mediation conference before an administrative law judge (ALJ) on November 9, 2004. Although submitted by Staff, the Petition indicates that all parties to these consolidated proceedings have joined in the request for such a conference and have agreed to participate in the same.

3. The Commission favors the informal resolution of contested proceedings and, accordingly, will grant the Petition. A mediation conference commencing at 9:00 a.m. will be held at the Commission's offices on November 9, 2004, before the undersigned ALJ. Attendees at the conference should include the parties' legal counsel along with party representatives having settlement authority.

4. In order to assist the supervising ALJ, the parties will be required to file a confidential settlement memorandum of no more than ten pages in length on or before November 2, 2004. The settlement memorandum should contain the following: (a) a brief description of the issues involved in this proceeding; (b) the party's position relative to those issues; (c) the status/results of prior settlement discussions, if any; and (d) the party's current proposal for settlement. Only the original settlement memorandum should be filed directly with the undersigned ALJ under seal and marked "CONFIDENTIAL SETTLEMENT

MEMORANDUM". Copies of the settlement memorandum should not be filed with the Commission's Information Center.

II. ORDER

A. It Is Ordered That:

1. The captioned consolidated proceedings are scheduled for a mediation conference as follows:

DATE: November 9, 2004
TIME: 9:00 a.m.
PLACE: Commission Hearing Room
1580 Logan Street, OL 2
Denver, Colorado

2. The parties shall comply with the filing requirements set forth in Section I, Paragraph 4 of this Order on or before November 2, 2004.

3. This Order shall be effective immediately.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Administrative Law Judge

