

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

DOCKET NO. 04A-205R

IN THE MATTER OF THE APPLICATION OF THE TOWN OF WINDSOR, COLORADO, A COLORADO HOME RULE MUNICIPALITY, FOR AN ORDER AUTHORIZING THE CONSTRUCTION OF A ROADWAY CROSSING OVER THE GREAT WESTERN RAILWAY TRACK AT THE INTERSECTION OF CROSSROADS BOULEVARD AND STATE HIGHWAY 257 IN THE TOWN OF WINDSOR, COUNTY OF WELD, STATE OF COLORADO.

**INTERIM ORDER OF
ADMINISTRATIVE LAW JUDGE
DALE E. ISLEY
VACATING AND RE-SCHEDULING HEARING; AND
ESTABLISHING PROCEDURAL SCHEDULE**

Mailed Date: November 29, 2004

I. STATEMENT

1. The hearing of the captioned application of the Town of Windsor, Colorado (Windsor) is currently scheduled for December 15, 2004. *See*, Decision No. R04-1108-I. That decision also established a procedural schedule for filing witness lists and copies of exhibits.

2. On November 24, 2004, Windsor filed a Motion to Vacate and Reset Hearing (Motion). The Motion requests that the December 15, 2004, hearing be vacated and that the matter be reset for hearing on January 26, 2005.

3. As grounds for the Motion, Windsor states that the parties are engaged in fruitful settlement discussions but that they require additional time to finalize the same. It represents in the Motion that the two intervenors, OmniTRAX, Inc., and Great Western Railway of Colorado, LLC, support the request set forth therein.

4. Good grounds having been shown, the Motion will be granted and the procedural schedule for filing witness lists and copies of exhibits will be modified.

II. ORDER

A. It Is Ordered That:

1. The hearing of this matter currently scheduled for December 15, 2004, is vacated.

2. The hearing of this matter is re-scheduled as follows:

DATE: January 26, 2005

TIME: 10:00 a.m.

PLACE: Commission Hearing Room
1580 Logan Street, OL2
Denver, Colorado

3. The Town of Windsor, Colorado, shall file three copies of its list of witnesses and exhibits and shall serve all other parties with a copy of the same on or before January 5, 2005.

4. OmniTRAX, Inc. and Great Western Railway of Colorado, LLC, shall file three copies of its list of witnesses and exhibits and shall serve all other parties with a copy of the same on or before January 18, 2005.

5. This Order shall be effective immediately.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Administrative Law Judge