

Decision No. C22-0715

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

PROCEEDING NO. 22A-0035R

IN THE MATTER OF THE APPLICATION OF THE CITY OF AURORA FOR AUTHORITY TO OBTAIN PUC AUTHORIZATION TO UPGRADE THE EQUIPMENT AND SAFETY OF THE HIGH LINE CANAL TRAIL FROM EAST COLFAX AVENUE TO INTERSTATE 70 AT TOWER ROAD (LAT 39.7542750 LONG -104.7722554) (U.S. DOT #805502M) ADAMS COUNTY, STATE OF COLORADO.

**COMMISSION DECISION GRANTING MOTION
FOR EXTENSION OF TIME TO COMPLETE PROJECT
CONSTRUCTION**

Mailed Date: November 14, 2022
Adopted Date: November 9, 2022

I. BY THE COMMISSION

A. Statement

1. This matter comes before the Commission for consideration of a Motion for Extension of Time To Complete Project Construction (Motion) filed by the City of Aurora (Aurora) on October 31, 2022 requesting an extension of time to December 31, 2023 to complete the pathway/sidewalk project approved by the Commission by Decision No. C22-0038R mailed June 8, 2022. In addition to filing the Motion, Aurora filed a signed copy of the Construction and Maintenance that includes maintenance costs assigned to Aurora for ongoing maintenance of the highway-rail crossing signal maintenance contrary to 4 *Code of Colorado Regulations* (CCR) 723-7-7301(a).

2. As grounds for the Motion, Aurora states that there was an error with the completion of the project until December 31, 2022 as the project is not scheduled to begin until 2023.

3. Aurora is authorized to state the Union Pacific Railroad Company does not oppose the Motion.

4. Since construction will not begin until 2023, the additional panels being installed will not need to be installed until the pathway is constructed.

5. Now being fully advised in the matter, we grant the Motion.

II. ORDER

A. The Commission Orders That:

1. The Motion for Extension of Time To Complete Project Construction (Motion) filed by the City of Aurora (Aurora) on October 31, 2022 requesting an extension of time to December 31, 2023 to complete the pathway/sidewalk project approved by the Commission by Decision No. C22-0038R mailed June 8, 2022 is granted.

2. Denver shall file a notice that completion of the work in this matter shall be filed within 10 days of December 31, 2023.

3. The Commission retains jurisdiction to enter further decisions as necessary.

4. This Decision is effective on its Mailed Date.

**B. ADOPTED IN COMMISSIONERS' WEEKLY MEETING
November 9, 2022.**

(S E A L)



THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

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JOHN GAVAN

ATTEST: A TRUE COPY

Doug Dean,
Director

MEGAN M. GILMAN

Commissioners