

Decision No. R13-0598-I

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

DOCKET NO. 13A-0053R

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IN THE MATTER OF THE APPLICATION OF THE REGIONAL TRANSPORTATION DISTRICT AND UNION PACIFIC RAILROAD COMPANY FOR AUTHORITY TO ALTER AN AT-GRADE CROSSING AT HAVANA STREET (U.S. DOT #804606R) IN THE CITY AND COUNTY OF DENVER, STATE OF COLORADO.

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**INTERIM ORDER OF  
ADMINISTRATIVE LAW JUDGE  
G. HARRIS ADAMS  
SCHEDULING HEARING AND  
ESTABLISHING PROCEDURAL SCHEDULE**

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Mailed Date: May 22, 2013

**I. STATEMENT**

1. On January 25, 2013, the Regional Transportation District and the Union Pacific Railroad filed the above-captioned Application.

2. By Decision No. R13-0465-I issued April 19, 2013, a prehearing conference was scheduled in this matter for May 8, 2013. At the scheduled time and place, all parties appeared and participated.

3. The City and County of Denver timely intervened of right.

4. Based upon discussions during the conference, a procedure schedule will be established as stated and as memorialized below.

5. **Parties are advised** that no witness will be permitted to testify, except in rebuttal, unless that witness is identified on a list of witnesses filed and served in accordance with the procedural schedule. **Parties are advised further** that no exhibit will be received in evidence, except in rebuttal, unless filed and served in accordance with the procedural schedule.

6. Any party wishing to make an oral closing statement may do so immediately following the close of the evidence (*i.e.*, after presentation of evidence near the end of the hearing).

7. **All parties are advised** that this proceeding is governed by the Rules of Practice and Procedure found at 4 *Code of Colorado Regulations* (CCR) 723-1, Part 1. The Administrative Law Judge expects the parties to comply with these rules. The rules are available on the Commission's website ([www.dora.state.co.us/puc](http://www.dora.state.co.us/puc)) and in hard copy from the Commission.

8. Each party is specifically reminded that all filings with the Commission must also be served upon all other parties in accordance with Rule 1205 of the Rules of Practice and Procedure, 4 CCR 723-1.

## II. **ORDER**

### A. **It Is Ordered That:**

1. A hearing in this matter shall be conducted at the following date, time, and place:

DATE: July 2, 2013

TIME: 9:00 a.m.

PLACE: Commission Hearing Room  
1560 Broadway, Suite 250  
Denver, Colorado

2. The Regional Transportation District and the Union Pacific Railroad must each file its list of witnesses and copies of its exhibits that it will present at hearing no later than June 7, 2013.

3. All intervenors must file their respective list of witnesses and exhibits to be presented at hearing no later than June 18, 2013.

4. The parties shall comply with the requirements established in this Order and shall make the filings as required by the procedural schedule established by the Commission and reiterated in this Order.

5. This Order shall be effective immediately.

(S E A L)



THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

G. HARRIS ADAMS

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Administrative Law Judge

ATTEST: A TRUE COPY

A handwritten signature in cursive script that reads "Doug Dean".

Doug Dean,  
Director