

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

PROCEEDING NO. 14A-0225R

IN THE MATTER OF THE APPLICATION OF THE CITY AND COUNTY OF DENVER FOR AUTHORITY TO ALTER AN EXISTING AT-GRADE CROSSING OF UNION PACIFIC RAILROAD COMPANY'S TRACKS AT DENARGO STGREET IN THE CITY AND COUNTY OF DENVER, AND TO INSTALL ACTIVE WARNING DEVICES AT THIS CROSSING.

**DECISION GRANTING MOTION FOR EXTENSION
OF TIME TO FILE CONSTRUCTION AND
MAINTENANCE AGREEMENT**

Mailed Date: August 1, 2014
Adopted Date: July 30, 2014

I. BY THE COMMISSION

A. Statement, Findings, and Conclusion

1. On July 11, 2014, the City and County of Denver (City) filed a motion requesting an extension of time (Motion) to file its signed Construction and Maintenance Agreement (Agreement). The City requests the Commission approve an extension of time to September 15, 2014, in which to file the Agreement.

2. In support of its Motion, the City states that by Decision No. C14-0451, the Commission approved the City's application in this proceeding and ordered the City to file a signed copy of the Agreement with the Commission by May 31, 2014.

3. The City represents that the City, Denargo Market, L.P., and the Union Pacific Railroad Company (Union Pacific) are currently negotiating the Agreement for the improvements approved by the Commission in this proceeding. The City is optimistic that the

Agreement will be finalized within the next couple of months and therefore requests an extension of time until September 15, 2014, to file the signed Agreement with the Commission.

4. Union Pacific filed its intervention in this matter on April 8, 2014, and the Regional Transportation District (RTD) filed its intervention April 14, 2014. Neither Union Pacific nor RTD filed a response or opposition to the request for additional time to file the Agreement. We find good cause exists to grant the extension of time requested in the Motion. The City shall file a copy of the signed Agreement with the Commission by September 15, 2014.

II. ORDER

A. The Commission Orders That:

1. The Motion for Extension of Time filed by the City and County of Denver, requesting the Commission approve an extension of time to September 15, 2014, in which to file the signed Construction and Maintenance Agreement, is granted.

2. This Decision is effective on its Mailed Date.

**B. ADOPTED IN COMMISSIONERS' WEEKLY MEETING
July 30, 2014.**

(S E A L)



ATTEST: A TRUE COPY

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

Doug Dean,
Director

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

JOSHUA B. EPEL

PAMELA J. PATTON

Commissioners

COMMISSIONER GLENN A. VAAD
ABSENT.