

Decision No. R19-0561-I

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

PROCEEDING NO. 18A-0809R

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IN THE MATTER OF THE APPLICATION OF THE CITY OF LOUISVILLE FOR AUTHORITY TO INSTALL 4-QUADRANT RAILROAD GATES WITH FLASHING LIGHTS, BELLS, CONSTANT WARNING TIME CIRCUITRY, AND NEW SIGNAL CABIN, AT TRACKS OWNED BY BNSF RAILWAY COMPANY CROSSING SOUTH BOULDER ROAD, USDOT NO. 244804N, IN BOULDER COUNTY, STATE OF COLORADO.

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**INTERIM DECISION OF  
ADMINISTRATIVE LAW JUDGE  
MELODY MIRBABA  
GRANTING UNOPPOSED MOTION FOR EXTENSION**

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Mailed Date: June 28, 2019

**I. STATEMENT**

1. This matter concerns the City of Louisville's (City) Application for Authority to Install 4-Quadrant Railroad Gates with Flashing Lights, Bells, Constant Warning Time Circuitry, and New Signal Cabin at Tracks Owned by BNSF Railway Company Crossing South Boulder Road (Application), filed on November 16, 2018. The BNSF Railway Company (BNSF) intervened as of right in this matter and is the only other party to this proceeding. The City waived the statutory deadline under § 40-6-109.5, C.R.S., for a Commission decision to issue. Application at 20. The Commission referred this matter to an Administrative Law Judge on January 3, 2019.

2. On June 28, 2019, BNSF filed an Unopposed Motion for Extension of Time to File Post-Hearing Statement of Position (Motion). BNSF requests an extension of the deadline for the parties to file their post-hearing Statements of Position until July 3, 2019. BNSF states

that the extension of time is requested due to an unexpected circumstance involving BNSF's counsel, which is more fully described in the Motion.

3. The City does not oppose BNSF's Motion.

4. Good cause having been shown for the unopposed request, response time will be waived and the Motion will be granted.

**II. ORDER**

**A. It Is Ordered That:**

1. The Unopposed Motion for Extension of Time to File Post-Hearing Statement of Position (Motion) filed by BNSF Railway Company (BNSF) on June 28, 2019, is granted.

2. Response time to BNSF's Motion is waived.

3. The parties shall file their post-hearing Statements of Position no later than July 3, 2019.

4. This Decision is effective immediately.

( S E A L )



THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

MELODY MIRBABA

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Administrative Law Judge

ATTEST: A TRUE COPY

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

Doug Dean,  
Director