

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

DOCKET NO. 04A-158R

APPLICATION OF UNION PACIFIC RAIL ROAD COMPANY FOR AUTHORITY TO CLOSE THE HIGHWAY-RAILROAD AT-GRADE CROSSING ACROSS THE TRACKS OF THE UNION PACIFIC RAILROAD COMPANY (US DOT NO. 804467X AT UPRR MILEPOST 15.23, GREELEY SUBDIVISION) AT 132ND AVENUE IN ADAMS COUNTY, STATE OF CO.

**ORDER GRANTING EXTENSION OF
TIME TO FILE COMMENTS**

Mailed Date: June 1, 2004
Adopted Date: May 12, 2004

I. BY THE COMMISSION

A. Statement

1. This matter comes before the Commission for consideration of Adams County's Motion for Extension of Time to File Comments with respect to the Union Pacific Railroad Company's application to close the crossing at issue, filed on May 10, 2004.

B. Findings

2. Given that closure of the crossing at issue will alter traffic patterns within the County, that alterations of traffic potentially could affect the response times of public safety vehicles, and that traffic patterns are a matter of interest to the County, we believe that Adams County should be able to file comments in this case. The County has demonstrated that they will need an extension of time in order to prepare their comments.

3. Adams County is not a party to this proceeding, and only parties to the proceeding may officially file documents relating to the matter unless they are *amicus curiae* who may file

legal arguments only. *See 4 Code of Colorado Regulations 723-1-20*, Parties and Non-Parties. Because we believe that Adams County has an interest in the consequences of closing the crossing, we treat their motion for an extension of time as a motion to intervene as well.

4. Adams County seeks until May 28, 2004 to file comments in this case.

With intervenor status, Adams County may participate in any hearings in this case.

C. Conclusions

5. Adams County shall be allowed intervenor status.

6. Adams County shall have until May 28, 2004 to file any documents objecting to closing the crossing, or any documents supporting closure of the crossing at 132nd Avenue.

II. ORDER

A. The Commission Orders That:

1. Adams County is granted intervenor status in this matter, and may participate in any proceedings related to this application.

2. Adams County's motion for extension of time is granted.

3. Adams County may have until May 28, 2004 to file any documents objecting to the closure of the crossing.

4. This Order is effective on its Mailed Date.

**B. ADOPTED IN COMMISSIONERS' WEEKLY MEETING
May 12, 2004.**

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

_____Commissioners