

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

DOCKET NO. 03A-512R

IN THE MATTER OF THE APPLICATION FOR THE CITY OF THORNTON, COLORADO,
FOR AN ORDER AUTHORIZING THE INSTALLATION OF AN ADDITIONAL MEDIAN
MOUNTED RAILROAD CROSSING GATE DEVICE AND THE RELOCATION OF AN
EXISTING CROSSING GATE DEVICE AT THE UNION PACIFIC RAILROAD COMPANY
CROSSING OF 136TH AVENUE NEAR YORK STREET (DOT CROSSING NO. 804-304N).

ORDER DENYING MOTION FOR EXTENSION OF TIME

Mailed Date: June 1, 2004
Adopted Date: May 5, 2004

I. BY THE COMMISSION

A. Statement

1. This matter comes before the Commission for consideration of the City of Thornton's Motion for Extension of Time to File a legal brief, filed on April 28, 2004.

2. The Commission on April 2, 2004 ordered the parties to file legal briefs regarding cost allocation for the project in this case.

B. Findings

3. The City of Thornton filed the application in this matter, and is thus a party to this matter.

4. On April 19, 2004, the Union Pacific Railroad Company (Union Pacific) filed a motion for an extension of time to file legal briefs in this matter.

5. Briefs were originally due May 3, 2004, but the Commission granted Union Pacific's motion on April 28, 2004, and granted all parties until May 18, 2004 to file their legal briefs.

6. The City of Thornton's motion for an extension was filed after the Commission had determined the matter at issue in the motion.

C. Conclusions

7. Because all parties were granted until May 18, 2004 to file their legal briefs, the City of Thornton's motion is moot.

8. The City of Thornton shall have until May 18, 2004 to file its legal brief.

II. ORDER

A. The Commission Orders That:

1. The City of Thornton's motion for an extension of time is denied as moot.
2. The City of Thornton shall have until May 18, 2004 to file its legal brief.
3. This Order is effective on its Mailed Date.

**B. ADOPTED IN COMMISSIONERS' WEEKLY MEETING
May 5, 2004.**

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

COMMISSIONER JIM DYER
ABSENT.