

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

DOCKET NO. 03A-475R

IN THE MATTER OF THE APPLICATION OF UNION PACIFIC RAILROAD COMPANY,
FOR AUTHORITY TO CONSTRUCT PHASE 1 OF PECOS STREET AS A GRADE
SEPARATION AT THE CROSSING OF THE ROADWAY WITH THE UNION PACIFIC
RAILROAD COMPANY (US DOT NO 253 279T AT THE UPRR MILEPOST 3.87) IN
ADAMS COUNTY, STATE OF COLORADO

**COMMISSION ORDER DEEMING APPLICATION
COMPLETE AND REFERRING IT TO AN
ADMINISTRATIVE LAW JUDGE**

Mailed Date: October 29 2004
Adopted Date: October 27, 2004

I. BY THE COMMISSION:

A. Statement

1. On October 23, 2003, Union Pacific Railroad Company filed an application requesting authority to construct a grade separation at Pecos Street in Adams County.

2. The Commission gave notice of this application together with a copy of the application, to all interested parties, including adjacent property owners in accordance with § 40-6-108(2), C.R.S. The Notice was mailed November 5, 2003.

3. On November 5, 2003, the Staff of the PUC filed an Entry of Appearance and Notice of Intervention.

4. The Commission has reviewed the record in this matter and deems that the application is complete within the meaning of § 40-6-109.5, C.R.S.

5. All exhibits, specifications and plans are complete, accurate and meet Commission requirements.

6. The Commission has jurisdiction in this matter under § 40-4-106(2)(a) & (3)(a), C.R.S.

7. The Commission now refers this application to an administrative law judge for determination of its merits, including the status of the final contract between the parties for construction and maintenance of the crossing.

II. ORDER

A. THE COMMISSION ORDERS THAT:

1. This application is deemed complete within the meaning of § 40-6-109.5, C.R.S.
2. Docket No.03A-475R is set for hearing before an Administrative Law Judge of the Colorado Public Utilities Commission on:

DATE: April 1, 2005
TIME: 9:00 AM
PLACE: Commission Hearing Room
Office Level 2 (OL2)
1580 Logan Street
Denver, Colorado

3. The assigned administrative law judge shall establish a procedural schedule for the filing of exhibit and witness lists and any pre-filed testimony.
4. This Order is effective on its Mailed Date.

**B. ADOPTED IN COMMISSIONERS' WEEKLY MEETING
October 27, 2004**

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

G:\Rail\APPS\03A-475R\deem complete to ALJ.doc:T