

Decision No. R04-0768-I

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

DOCKET NO. 01A-004R

IN THE MATTER OF THE COLORADO DEPARTMENT OF TRANSPORTATION FOR THE AUTHORITY TO CONSTRUCT A GRADE SEPARATION STRUCTURE OVER THE UNION PACIFIC RAILWAY COMPANY RAILROAD TRACKS, NEAR RAILROAD MILEPOST 18.47, MORE OR LESS, NEAR THE AT-GRADE CROSSING, NATIONAL INVENTORY ID NO. 253053X, AT TITAN ROAD IN DOUGLAS COUNTY, COLORADO.

DOCKET NO. 01A-005R

IN THE MATTER OF THE COLORADO DEPARTMENT OF TRANSPORTATION, FOR THE AUTHORITY TO CONSTRUCT A GRADE SEPARATION STRUCTURE OVER THE BURLINGTON NORTHERN AND SANTA FE RAILWAY COMPANY RAILROAD TRACKS, NEAR RAILROAD MILEPOST 718.46, MORE OR LESS, AND CLOSE THE AT GRADE CROSSING, NATIONAL INVENTORY ID NO. 003621F, AT TITAN ROAD NEAR SH 85 IN DOUGLAS COUNTY, COLORADO.

**INTERIM ORDER OF
ADMINISTRATIVE LAW JUDGE
KEN F. KIRKPATRICK
GRANTING EXTENSION OF TIME**

Mailed Date: July 12, 2004

I. STATEMENT

1. On June 29, 2004, Union Pacific Railroad Company (Union Pacific) filed a pleading seeking additional time to comply with Decision No. R04-0524-I. By that Decision, the undersigned Administrative Law Judge had ordered Union Pacific to either set a Motion to Enforce for hearing or to withdraw the Motion to Enforce. (The Motion had been filed April 19, 2004.) In the June 29, 2004 request, Union Pacific states that due to ongoing negotiations and recent exchanges of drafts, it seeks an additional 30 days to determine whether or not to proceed on the Motion to Enforce. Good grounds having been shown, the request should be granted.

II. ORDER

A. It Is Ordered That:

1. The Motion to Enforce filed April 19, 2004 by the Union Pacific Railroad Company shall continue to be held in suspense for 30 days from the effective date of this Order. The Union Pacific Railroad Company shall file within 30 days of the effective date of this Order either a motion seeking to set the Motion to Enforce for hearing or a withdrawal of its Motion to Enforce.

2. This Order shall be effective immediately.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Administrative Law Judge