

Decision No. R04-1361-I

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

DOCKET NO. 04A-277R

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IN THE MATTER OF THE APPLICATION OF THE COLORADO DEPARTMENT OF TRANSPORTATION FOR AUTHORITY TO DEMOLISH, CONSTRUCT, WIDEN AND MAINTAIN SEVEN GRADE-SEPARATED STRUCTURES AT RAIL-HIGHWAY CROSSINGS AT VARIOUS LOCATIONS WITHIN THE LIMITS OF THE CENTRAL COLORADO SPRINGS I-25 IMPROVEMENT PROJECT, ALONG I-25 FROM CIRCLE/LAKE INTERCHANGE TO THE BRIARGATE INTERCHANGE IN THE CITY OF COLORADO SPRINGS, EL PASO COUNTY, STATE OF COLORADO.

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**INTERIM ORDER OF  
ADMINISTRATIVE LAW JUDGE  
KEN F. KIRKPATRICK  
SETTING PREHEARING CONFERENCE**

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Mailed Date: November 19, 2004

**I. STATEMENT**

1. By Decision No. C04-1333, November 10, 2004, the Commission referred this matter to the undersigned Administrative Law Judge and set the matter for a hearing to be held on March 10, 2005. A prehearing conference is scheduled by this order on the date set forth below. In addition to the matters set forth in Rule 79 of the Commission's Rules of Practice and Procedure for consideration at a prehearing conference, the prehearing conference will address the unique nature of this application. Specifically, the parties should be prepared to discuss an overall procedural mechanism for dealing with the design/build application process, including the creation of a mechanism to deal with disputes that arise while the project is underway. The parties should be prepared to suggest any and all methods to expedite this proceeding.

**II. ORDER**

**A. It Is Ordered That:**

1. A prehearing conference in this matter will be held as follows:

DATE: December 16, 2004

TIME: 9:00 a.m.

PLACE: Commission Hearing Room  
1580 Logan Street, OL2  
Denver, Colorado

2. This Order shall be effective immediately.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

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Administrative Law Judge