

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

DOCKET NO. 06A-328R

IN THE MATTER OF THE CITY OF EVANS, FOR THE AUTHORITY TO MODIFY THE EXISTING AT GRADE CROSSING OF THE UNION PACIFIC RAILWAY (FORT COLLINS BRANCH, MP2.64) AND WELD COUNTY ROAD 33 (47TH AVE), CITY OF EVANS, COLORADO U.S.DOT CROSSING NO. 804531U.

**COMMISSION ORDER GRANTING
MOTION FOR EXTENSION OF TIME TO FILE
CONSTRUCTION AND MAINTENANCE AGREEMENT**

Mailed Date: January 3, 2007

Adopted Date: January 3, 2007

I. BY THE COMMISSION:

A. Statement

1. This matter comes before the Public Utilities Commission (Commission) for consideration of the Motion for Extension of Time filed by the City of Evans (Evans) on December 19, 2006.

2. The Commission ordered Evans to file a signed copy of the construction and maintenance agreement by December 23, 2006 by Decision C06-0870, mailed July 27, 2006.

3. Evans states that Union Pacific Railroad (UPRR) has requested additional information and an estimate for the project in order to prepare an appropriate contract. Evans states that Evans and UPRR will need until the end of April to complete the estimates and prepare the appropriate contract documents for submittal to the Commission.

4. Evans requests an extension of time to April 30, 2007 to file the signed construction and maintenance agreement in this proceeding.

5. Now being duly advised in the matter, the Commission finds good cause has been stated and will grant the motion.

II. ORDER

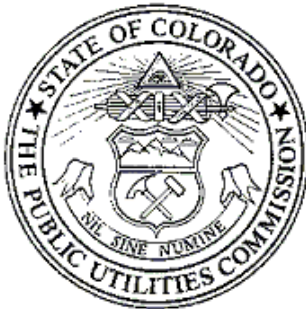
A. THE COMMISSION ORDERS THAT:

1. The Motion for Extension of Time filed by the City of Evans is granted. The City of Evans shall be permitted to file a copy of the signed construction and maintenance agreement by April 30, 2007.

2. This Order is effective on its Mailed Date.

B. ADOPTED IN COMMISSIONERS' WEEKLY MEETING January 3, 2007.

(S E A L)



ATTEST: A TRUE COPY

Doug Dean,
Director

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

GREGORY E. SOPKIN

POLLY PAGE

CARL MILLER

Commissioners