

Decision No. C19-0616

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

PROCEEDING NO. 13A-0956R

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IN THE MATTER OF THE APPLICATION OF THE REGIONAL TRANSPORTATION DISTRICT AND ADAMS COUNTY FOR AUTHORITY TO CONSTRUCT A GRADE-SEPARATED CROSSING BY CONSTRUCTING COMMUTER RAIL TRACKS OVER THE CLAY STREET TRAIL IN ADAMS COUNTY, STATE OF COLORADO.

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**COMMISSION DECISION GRANTING MOTION TO  
WITHDRAW AND RESCINDING DECISION NO. C13-1339**

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Mailed Date: July 23, 2019  
Adopted Date: July 17, 2019

**I. BY THE COMMISSION**

**A. Statement**

1. This matter comes before the Commission for consideration of an Unopposed Motion to Obtain Leave of the Public Utilities Commission to Withdraw Application Without Prejudice (Motion) filed by Adams County on July 11, 2019, requesting to withdraw the application to construct a new grade separated crossing of a pedestrian trail known as the Clay Community Trail below the new commuter rail tracks of the Regional Transportation District.

2. As grounds for the Motion, Adams County states that to date, Adams County has been unable to appropriate funding to complete the Clay Street Trail project outlined in the Application. Therefore, Adams County wishes to withdraw the Application without prejudice. Adams County will re-examine the feasibility of the project should funding become available in the future.

3. Adams County states that it has conferred with counsel for the Regional Transportation District and the Union Pacific Railroad Company, and neither opposes the relief requested in the Motion.

4. Because the only parties to the proceeding are not opposed to the Motion, we will waive response time to the Motion on our own motion.

5. Now being fully advised in the matter, we will grant the Motion and rescind Decision No. C13-1339 mailed October 25, 2013 that granted the application in this matter.

**II. ORDER**

**A. The Commission Orders That:**

1. The Unopposed Motion to Obtain Leave of the Public Utilities Commission to Withdraw Application Without Prejudice (Motion) filed by Adams County on July 11, 2019, requesting to withdraw the application to construct a new grade separated crossing of a pedestrian trail known as the Clay Community Trail below the new commuter rail tracks of the Regional Transportation District is granted.

2. The Commission waives response time to the Motion on its own Motion.

3. Decision No. C13-1339 granting the application in this matter is rescinded.

4. Proceeding No. 13A-0956R is closed.

5. This Decision is effective on its Mailed Date.

**B. ADOPTED IN COMMISSIONERS' WEEKLY MEETING  
July 17, 2019.**

(S E A L)



ATTEST: A TRUE COPY

A handwritten signature in cursive script that reads 'Doug Dean'.

Doug Dean,  
Director

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

JEFFREY P. ACKERMANN

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FRANCES A. KONCILJA

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JOHN GAVAN

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Commissioners