

Decision No. C20-0540

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

PROCEEDING NO. 20A-0246R

IN THE MATTER OF THE APPLICATION OF UNION PACIFIC RAILROAD COMPANY FOR AUTHORITY TO UPGRADE CROSSING CIRCUITRY AT THE CROSSING OF UNION PACIFIC RAILROAD COMPANY'S TRACKS ON THE GLENWOOD SPRINGS SUBDIVISION LOCATED AT M.P. 448.93, U.S. DOT 253778A, LOCATED IN THE CITY OF GRAND JUNCTION, COUNTY OF MESA, STATE OF COLORADO.

**COMMISSION DECISION DEEMING APPLICATION
COMPLETE AND GRANTING APPLICATION**

Mailed Date: July 24, 2019

Adopted Date: July 22, 2020

I. BY THE COMMISSION

A. Statement

1. This matter comes before the Commission for consideration of an application (Application) filed by the Union Pacific Railroad Company (UPRR) on June 5, 2020, requesting to upgrade the train detection circuitry from motion detection to constant warning time detection at the crossing of 7th Street with the UPRR Glenwood Springs Subdivision, railroad milepost 448.93, National Inventory No. 253778A in the City of Grand Junction, County of Mesa, State of Colorado.

2. The Commission gave notice of this Application (Notice) to all interested parties, including adjacent property owners pursuant to § 40-6-108(2), C.R.S. The Notice was mailed June 9, 2020.

3. No interventions were filed in this matter.

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. Now being fully advised in the matter, we grant the Application.

B. Findings of Fact

6. The Commission gave notice to all interested parties, including the adjacent property owners. No intervention was received opposing the Application.

7. UPRR requests authority to upgrade the train detection circuitry at the crossing of 7th Street in Grand Junction from motion detection to constant warning time. The warning time of 27 seconds currently at the crossing will remain with the circuitry change.

8. As grounds, UPRR is modernizing detection circuitry and wants to upgrade this crossing from motion sensor to constant warning time detection. This change will modernize the crossing and maintain safety. No other aspects of the crossing are proposed to be modified with this Application.

9. UPRR states in its Application there are currently approximately 13 trains per day using the subject crossing at a timetable speed of 35 miles per hour on the mainline. UPRR states that based on the latest vehicle volume information in the National Inventory Form from 2010, there are 8,900 vehicles per day using the crossing at 25 miles per hour with approximately four percent heavy vehicles.

10. There have been five property damage only accidents that have occurred at the crossing since 1975 with the last accident occurring in 1992.

11. UPRR does not provide a cost estimate for the proposed changes since UPRR will be fully responsible for the proposed changes, and no changes to the roadways and signal equipment at the crossings will be made with the exception of the train detection circuitry.

Given the limited nature of the changes proposed at the crossings, we will allow the omission of this information.

12. UPRR intends to start this project immediately upon approval by the Commission and be complete with the project 30 days after approval of the Application.

C. Conclusions

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

14. No intervenor that filed a petition to intervene or other pleading contests or opposes the Application.

15. Because the Application is unopposed, the Commission finds that it will determine this matter upon the record, without a formal hearing under § 40-6-109(5), C.R.S., and Rule 1403, 4 *Code of Colorado Regulations* 723-1 of the Rules of Practice and Procedure.

16. We find that good cause exists and that the requirements of public safety are met by granting the Application consistent with the above discussion.

17. UPRR shall inform the Commission in writing when the project is complete and operational within ten days of completion. The Commission will expect this letter on or before August 31, 2020.¹

18. UPRR shall provide an updated crossing inventory for the changed crossing conditions and shall file a copy of the updated crossing inventory form with the Commission

¹ The Commission understands there may be changes or delays in the construction schedule. While a request for extension is not required in the event completion of the construction project goes past August 31, 2020, UPRR should inform the Commission through an appropriate filing if delays are anticipated or significant.

concurrent with notice to the Commission of completion of the crossing work initially expected by August 31, 2020.

II. ORDER

A. The Commission Orders That:

1. The application (Application) filed by the Union Pacific Railroad Company (UPRR) on June 5, 2020, requesting to upgrade the train detection circuitry from motion detection to constant warning time detection at the crossing of 7th Street with the UPRR Glenwood Springs Subdivision, railroad milepost 448.93, National Inventory No. 253778A in the City of Grand Junction, County of Mesa, State of Colorado is deemed complete within the meaning of § 40-6-109.5, C.R.S.

2. The Application is granted.

3. UPRR is authorized and ordered to upgrade the train detection circuitry at the crossing at 7th Street in Grand Junction, Colorado.

4. UPRR shall inform the Commission in writing when the detection circuitry changes are complete within ten days of completion. The Commission will expect the letter by August 31, 2020. However, the Commission understands this letter may be provided earlier or later than this date depending on changes or delays to the construction schedule.

5. UPRR shall update the National Inventory Form for this crossing and file a copy of the updated crossing inventory forms in this proceeding by August 31, 2020.

6. The 20-day period provided for in § 40-6-114, C.R.S., within which to file applications for rehearing, reargument, or reconsideration, begins on the first day following the effective date of this Decision.

7. The Commission retains jurisdiction to enter further decisions as necessary.
8. This Decision is effective on its Mailed Date.

**B. ADOPTED IN COMMISSIONERS' WEEKLY MEETING
July 22, 2020.**

(S E A L)



ATTEST: A TRUE COPY



Doug Dean,
Director

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

JEFFREY P. ACKERMANN

JOHN GAVAN

MEGAN M. GILMAN

Commissioners