

Decision No. C20-0896

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

PROCEEDING NO. 20A-0440R

IN THE MATTER OF THE APPLICATION OF THE CITY OF THORNTON AND THE CITY OF NORTHGLENN FOR AUTHORITY TO INSTALL A NEW TRAFFIC SIGNAL AT THE INTERSECTION OF 124TH AVENUE AND CLAUDE COURT, WITH INTERCONNECTION TO THE EXISTING ACTIVE WARNING DEVICES AT THE ADJACENT 124TH AVENUE ROAD CROSSING OF TRACKS OWNED BY THE REGIONAL TRANSPORTATION DISTRICT, USDOT NO. 804302A, JOINTLY-SITUATED IN THORNTON AND NORTHGLENN, STATE OF COLORADO.

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

Mailed Date: December 16, 2020
Adopted Date: December 16, 2020

I. BY THE COMMISSION

A. Statement

1. This matter comes before the Commission for consideration of an application (Application) filed by the City of Thornton and City of Northglenn (Cities) on October 28, 2020, requesting final approval and authority for interconnection and preemption of a new traffic signal for the intersection of 124th Avenue and Claude Court to the existing active warning devices at the crossing of 124th Avenue with the Regional Transportation District (RTD) crossing with the RTD North Metro Commuter Rail line, National Inventory No. 804302A, in the Cities, County of Adams, 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 November 3, 2020.

3. On December 3, 2020, RTD filed an Entry of Appearance and Notice of Interventions as of Right. RTD does not contest or oppose the Application.

4. The Commission has reviewed the record in this matter and deems that the Application is complete pursuant to § 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 interventions opposing the Application were received in this matter.

7. The Cities are installing a new traffic signal at the intersection 124th Avenue and Claude Court and request authority to interconnect to and be preempted by the active warning devices at the 124th Avenue crossing with the RTD North Metro Commuter Rail line. The intersection is located approximately 165 feet west of the crossing. The elevation of the crossing is higher than the elevation of the intersection, creating sight distance issues for northbound traffic. Installation of the traffic signal will mitigate the issue and improve safety at the intersection. Additionally, the installation of the traffic signal with interconnection and preemption will allow traffic signal phasing to allow for track clearance of vehicles in the event of an approaching train.

8. The Cities state that as of a 2019 count, there are currently approximately 7,037 vehicles per day (VPD) using the crossing with approximately two percent heavy vehicles and with approximately 6 school bus movements across the track per day at a posted speed limit of 30 miles per hour (MPH). The Cities estimate that 2025 traffic volumes at 8,300 VPD and the 2040 traffic volume at 12,900 VPD. There are currently 110 trains per day using the crossing at

a maximum timetable speed of 15 MPH with no projections for any increases or decreases in the future.

9. The Cities state that a grade separation at this location is not practicable with the Eastlake Station located approximately 50 feet north of the crossing and insufficient horizontal distance between the tracks, station, and intersection to accommodate the necessary horizontal change for a grade separation.

10. The Cities propose to interconnect the new traffic signal with the existing RTD active warning signal and have the traffic signal operate with advance preemption from the RTD active warning signal. The Cities are proposing 38 seconds of advance preemption time for the traffic signal.

11. No additional changes to railroad related pavement markings or signage are necessary with this project.

12. The Cities estimate project costs at \$298,199. The City of Thornton will be responsible for the \$248,199 capital improvement portion of the project and RTD will be responsible for the \$50,000 preemption equipment for the railroad bungalow.

13. The Cities propose starting construction in November 2020 and being complete by February 2021. The Cities will be required to inform the Commission in writing that all construction is complete and operational within ten days of completion and prior to the start of revenue service. The Cities will be required to provide this letter in this proceeding not later than February 28, 2021. The Commission understands, however, that this letter may be provided earlier or later than this date depending on changes or delays to the construction schedule. We will also require RTD to update the U.S. Department of Transportation crossing inventory form

for the crossing to show interconnection and preemption of the crossing and file a copy of the updated inventory form for this crossing in this proceeding by February 28, 2021.

C. Conclusions

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

15. No interventions in opposition to the Application were filed in this matter.

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

17. Based on the Findings of Fact, the Application is granted.

II. ORDER

A. The Commission Orders That:

1. The application (Application) filed by the City of Thornton and City of Northglenn (Cities) on October 28, 2020, requesting final approval and authority for interconnection and preemption or a new traffic signal for the intersection of 124th Avenue and Claude Court to the existing active warning devices at the crossing of 124th Avenue with the Regional Transportation District (RTD) crossing with the RTD North Metro Commuter Rail line, National Inventory No. 804302A, in the Cities, County of Adams, State of Colorado is deemed complete within the meaning of § 40-6-109.5, C.R.S.

2. The intervention of RTD is noted.

3. The Application is granted.

4. The Cities are authorized and ordered to proceed with the interconnection and preemption of the new traffic signal being constructed at the intersection of 124th Avenue and Claud Court and the existing active warning signal at the RTD crossing.

5. The crossing will be operated using advance preemption with an advanced preemption time of 38 seconds.

6. The Cities are required to inform the Commission in writing that the crossing changes are complete and operational within ten days after completion. We shall expect this letter by February 28, 2021. However, we understand this letter may be provided earlier or later than this date depending on changes or delays to the construction schedule.

7. RTD is required to update the U.S. Department of Transportation crossing inventory form for this crossing in this proceeding by the end of construction on February 28, 2021.

8. 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.

9. The Commission retains jurisdiction to enter further required decisions.

10. This Decision is effective on its Mailed Date.

**B. ADOPTED IN COMMISSIONERS' WEEKLY MEETING
December 16, 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 C. GAVAN

MEGAN GILMAN

Commissioners