

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

PROCEEDING NO. 20A-0525R

IN THE MATTER OF THE APPLICATION OF THE COLORADO DEPARTMENT OF TRANSPORTATION FOR AUTHORITY TO OBTAIN PUC AUTHORIZATION TO RECONSTRUCT BOTH I-25 OVERPASS BRIDGE STRUCTURES OVER GREAT WESTERN RAILWAY OF COLORADO, LLC (GWRCO) MP 80.24, GREELEY SUBDIVISION (U.S. DOT# 244875K) LARIMER COUNTY, STATE OF COLORADO.

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

Mailed Date: January 25, 2021

Adopted Date: January 13, 2021

I. BY THE COMMISSION

A. Statement

1. This matter comes before the Commission for consideration of an application (Application) filed by the Colorado Department of Transportation (CDOT) on November 30, 2020, seeking authority to demolish the existing Interstate 25 (I-25) bridge structures and replace with widened structures over the tracks of the Great Western Railway (GWR) Greeley Subdivision, railroad milepost 80.24, National Inventory No. 244875K near the City of Fort Collins, County of Larimer, State of Colorado.

2. Notice of the Application was provided by the Commission to all interested parties, including adjacent property owners pursuant to § 40-6-108(2), C.R.S., on December 4, 2020.

3. 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.

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

B. Findings of Fact

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

6. CDOT proposes to demolish the existing bridge structures over I-25 near the City of Fort Collins and widen each structure to add an additional toll lane to each structure over the tracks of the GWR. This project is part of the North I-25 Express Lane Project and was identified as part of the Environmental Impact Statement conducted by CDOT. Specifically, this project widens I-25 to accommodate an additional Express Lane in the northbound and southbound directions, and provides mitigation for substandard vertical and horizontal clearances to the existing track.

7. Each new bridge structure is proposed to be a three span structure with the existing GWR tracks located under the middle span of each structure. The total length of both structures is 273'-5 3/8" from abutment to abutment. The northbound structure has a minimum vertical clearance of 24'-10" vertical clearance and a minimum horizontal clearance of 26'-8" from the centerline of the existing track to the face of a pier. The southbound structure has a minimum vertical clearance of 26'-10" vertical clearance and a minimum horizontal clearance of 28'-7" from the centerline of the existing track to the face of pier. The northbound structure is 73'-0" out to out and accommodates three 12'-0" lanes, one 16'-0" lane, one 12'-0" shoulder, one 6'-0" shoulder, and two 1'-6" bridge rails with chain link fence. The southbound structure is 67'-0" out to out and accommodates three 12'-0" lanes, one 12'-0" lane with a 4' buffer, two 12'-0" shoulder, and two 1'-6" bridge rails with chain link fence. The proposed minimum clearances meet or exceed the clearances required by Commission Rules 4 *Code of Colorado Regulations* (CCR) 723-7-7324 and 7325 of the Commission's Rules Regulating Railroads, Rail Fixed Guideways, Transportation by Rail, and Rail Crossings.

8. CDOT states that the existing traffic volumes using the I-25 roadway is 71,000 vehicles per day (VPD) with an estimated 10.8 percent heavy trucks and 7.6 percent combination heavy trucks using the roadway and a posted speed limit of 75 MPH with projected growth to 83,425 VPD in five-years and 110,050 in twenty-years. CDOT states there are currently approximately four trains per week using the crossing at a maximum time table speed of ten MPH with no anticipated increases or decreases known at this time.

9. CDOT estimates the cost of the project at \$5,791,900 with the cost for the project being funded through the North I-25 Express Lanes Project.

10. CDOT proposes to start construction in January 2021 and be complete by October 31, 2022. CDOT will be required to inform the Commission in writing that construction of the new grade separated structure is complete and operational within ten days of completion. The Commission will expect this letter by October 31, 2022. However, the Commission does understand this letter may be provided earlier or later than this date depending on changes or delays to the construction schedule. CDOT shall also be required to file a signed copy of the Construction and Maintenance Agreements for the projects. We will expect this signed agreement to be filed in this proceeding by January 31, 2021 prior to the start of construction.

11. CDOT shall be required to work with GWR to update the U.S. DOT Inventory form for the crossing by the end of the project by October 31, 2022.

C. Conclusions

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

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

14. 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 CCR 723-1 of the Commission's Rules of Practice and Procedure.

15. We find that good cause exists to grant the Application consistent with the above discussion.

II. ORDER

A. The Commission Orders That:

1. The application (Application) filed by the Colorado Department of Transportation (CDOT) on November 30, 2020, seeking authority to demolish the existing Interstate 25 (I-25) bridge structures and replace with widened structures over the tracks of the Great Western Railway (GWR) Greeley Subdivision, railroad milepost 80.24, National Inventory No. 244875K near the City of Fort Collins, County of Larimer, State of Colorado is deemed complete within the meaning of § 40-6-109.5, C.R.S.

2. The Application is granted.

3. CDOT is authorized and ordered to proceed with the demolition of the existing structures and the construction of the widened I-25 bridge structures over the tracks of the GWR near Fort Collins, Colorado.

4. CDOT shall inform the Commission in writing when the new grade separated structures are complete and operational within ten days of completion. The Commission will expect this letter by October 31, 2022. 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. CDOT shall file a copy of the signed Construction and Maintenance Agreement with the GWR by January 31, 2021 prior to the start of any crossing construction.

6. CDOT shall work with GWR to file a revised copy of the U.S. DOT Inventory form for the crossing at the end of the project by October 31, 2022.

7. 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.

8. The Commission retains jurisdiction to enter further decisions as necessary.

9. This Decision is effective on its Mailed Date.

**B. ADOPTED IN COMMISSIONERS' WEEKLY MEETING
January 13, 2021.**

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ATTEST: A TRUE COPY

Doug Dean,
Director

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

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JOHN C. GAVAN

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Commissioners