

Decision No. C21-0198

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

PROCEEDING NO. 21A-0080R

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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 388.60 US DOT 253579X LOCATED NEAR RIFLE COUNTY OF GARFIELD STATE OF COLORADO.

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

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Mailed Date: March 31, 2021  
Adopted Date: March 31, 2021

**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 February 16, 2021, requesting to upgrade the train detection circuitry from a motion sensor HXP3 to a constant warning time GCP 4000 detection at the crossing of a public roadway in the City of Rifle (Rifle Public Road) with the Glenwood Springs Subdivision, railroad milepost 388.60, National Inventory No. 253579X near the City of Rifle, County of Garfield, 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 February 23, 2021.

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 the Rifle Public Road located at railroad milepost 388.60 from motion detection to constant warning time. The warning time at the crossing will be 30 seconds 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 11 trains per day using the subject crossing at a timetable speed of 70 miles per hour on the mainline. UPRR states that based on the latest vehicle volume information in the National Inventory Form from 1981, there are ten vehicles per day using the crossing at an unposted speed limit with no estimate for percentage of heavy vehicles.

10. There have been zero accidents that have occurred at the crossing since 1975.

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 with completion of 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 April 15, 2021.<sup>1</sup>

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<sup>1</sup> 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 April 15, 2021, UPRR should inform the Commission through an appropriate filing if delays are anticipated or significant.

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 concurrent with notice to the Commission of completion of the crossing work initially expected by April 15, 2021.

## **II. ORDER**

### **A. The Commission Orders That:**

1. The application (Application) filed by the Union Pacific Railroad Company (UPRR) on February 16, 2021, requesting to upgrade the train detection circuitry from a motion sensor HXP3 to a constant warning time GCP 4000 detection at the crossing of a public roadway in the City of Rifle (Rifle Public Road) with the Glenwood Springs Subdivision, railroad milepost 388.60, National Inventory No. 253579X near the City of Rifle, County of Garfield, 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 the Rifle Public Road near Rifle, 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 April 15, 2021. 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 April 15, 2021.

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  
March 31, 2021.**

(S E A L)



ATTEST: A TRUE COPY

Doug Dean,  
Director

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

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JOHN GAVAN

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Commissioners