

Decision No. C25-0600

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

PROCEEDING NO. 23A-0613R

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IN THE MATTER OF THE APPLICATION OF THE COLORADO DEPARTMENT OF TRANSPORTATION, FOR AUTHORITY TO ADD RAILROAD FLASHING LIGHT SIGNALS WITH GATES AND REMOVE PASSIVE WARNING SIGNING, ON EACH APPROACH AT TRACKS OWNED BY UNION PACIFIC RAILROAD COMPANY CROSSING BEAVER CREEK ROAD, USDOT NO. 253-303H, IN GILPIN COUNTY, STATE OF COLORADO.

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**COMMISSION DECISION GRANTING  
FIRST AMENDED APPLICATION**

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Issued Date: August 19, 2025

Adopted Date: August 13, 2025

**I. BY THE COMMISSION**

**A. Statement**

1. This matter comes before the Commission for consideration of a First Amendment to CDOT's Application and Updated Exhibit C ("Amended Application") filed by the Colorado Department of Transportation ("CDOT") on July 25, 2025, requesting to revise the Application to update the anticipated start date and end date of construction and updates the railroad cost estimate documents for this project.

2. No responses were filed to the Amended Application.

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

4. The Commission reviewed the record in this matter and deems the Application complete within the meaning of § 40-6-109.5, C.R.S.

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

**B. Findings of Fact**

6. CDOT seeks authority to install flashing lights with gates and bells and remove the existing passive warning signs at the crossing of Beaver Creek Road with the United Pacific Rail Road Company (“UPRR”) in Gilpin County, Colorado.

7. CDOT is proposing changes at Beaver Creek Road because the crossing has a high degree of skew between the roadway and the railroad, which creates visibility issues along the track to the south of the crossing. UPRR has reported two unsafe motorist activities at the crossing in the last five years.

8. CDOT updates the itemized estimated cost in Exhibit C to the Application from \$ 469,355 plus crossing maintenance costs by removing the crossing maintenance costs from the Application.

9. CDOT also updates the proposed construction start date from May 1, 2024, to January 1, 2026, and updates the estimated completion date from December 31, 2025, to December 31, 2026. All other aspects of the original Application remain the same

**C. Conclusions**

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

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

## II. ORDER

### A. The Commission Orders That:

1. The Amended Application (“Amended Application”) filed by the Colorado Department of Transportation (“CDOT”) on July 25, 2025, requesting authority to amend the cost estimates in Exhibit C and estimated start and end dates for construction of the project is granted.

2. CDOT is authorized and ordered to remove the existing passive crossing signs and to add new active warning devices at the crossing of Beaver Creek Road with the tracks of the UPRR including flashing light signals, gates, bells, and new signal cabin.

3. CDOT shall be required to file a copy of the signed master agreement task order by December 31, 2025, prior to starting construction at the crossing

4. CDOT shall inform the Commission in writing when the crossing changes are complete within 10 days of completion. The Commission will expect the letter by December 31, 2026. 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 and UPRR shall be required to update the U.S. DOT National Inventory form for this crossing and file an updated copy of the form in this proceeding by December 31, 2026.

6. The 20-day period provided for in § 40-6-114, C.R.S., within which to file an Application 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 upon its Issued Date.

**B. ADOPTED IN COMMISSIONERS' WEEKLY MEETING  
August 13, 2025.**

(S E A L)



ATTEST: A TRUE COPY

Rebecca E. White,  
Director

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

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Commissioners