

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

PROCEEDING NO. 25A-0306R

IN THE MATTER OF THE APPLICATION OF WELD COUNTY, FOR AUTHORITY TO INSTALL ADVANCE WARNING SIGNS AND PAVEMENT MARKINGS AT TRACKS OWNED BY BNSF RAILWAY COMPANY CROSSING COUNTY ROAD 51, USDOT NO. 057212N, IN WELD COUNTY, STATE OF COLORADO.

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

Issued Date: August 29, 2025

Adopted Date: August 20, 2025

I. BY THE COMMISSION

A. Statement

1. This matter comes before the Commission for consideration of an Application (“Application”) filed by Weld County on July 9, 2025, for an order authorizing the installation of advance warning signs northbound along County Road (“CR”) 51 and adjustment of advance warning pavement markings on approach to tracks owned by BNSF Railway Company (“BNSF”) at railroad milepost 509.08 of the Powder River Division, Brush subdivision, National Inventory No. 057212N in Weld County, 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 July 10, 2025.

3. On July 15, 2025, BNSF intervened in this proceeding as matter of right. BNSF did not oppose or contest the application.

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 Application.

B. Findings of Fact

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

7. Weld County requests authority for the installation of advance warning signs northbound along CR 51 and adjustment of advance warning pavement markings on approach to the tracks owned by BNSF in Weld County. CR 51 crosses the BNSF tracks at a slight skew. The existing crossing has active warning flashing light signals with gates on each approach, with a Stop sign and Stop Sign Ahead sign on the northbound approach. Weld County proposes to remove the Stop sign and Stop Sign Ahead sign. Weld County also proposes to add a W10-5 Low Ground Clearance advance warning sign 125 feet from the crossing and an R8-8 Do Not Stop On Tracks sign at the crossing on the northbound approach. The existing W-10 Grade Crossing Advance Warning sign and railroad pavement marking is 875 feet in advance of the crossing in the northbound direction. Weld County proposes to adjust the sign and pavement marking to 990 feet in advance of the crossing.

8. Weld County states that most recent traffic volume at the subject crossing as of 2022 is 1,050 vehicles per day (“VPD”). 36 percent of this traffic volume is estimated to be heavy vehicles. School buses use the crossing. The posted speed limit at the crossing is 55 miles per hour (“MPH”). The five-year traffic volume projections at the crossing are 1,340 VPD and twenty-year traffic volume projections are 2,785 VPD. There are currently 18 trains per day as of 2023 that use

the crossing at a maximum timetable speed of 79 MPH with no anticipated changes in train volume in the future.

9. There has been one property-damage only accident at the crossing since 1975 in 1996.

10. Weld County estimates the cost of the project at \$7,814. Weld County will cover 100 per cent of the costs of the project.

11. Weld County proposes to start the project on September 1, 2025, and anticipates being complete with the work by October 31, 2025. Weld County will be required to provide a copy of the signed Construction and Maintenance Agreement with BNSF for this project by September 21, 2025, prior to starting construction on this project.

12. Weld County will be required to inform the Commission in writing that all work is complete within ten days of completion. The Commission will expect this letter no later than October 31, 2025. However, the Commission understands this letter may be provided earlier or later than this date depending on changes or delays to the construction schedule.

13. BNSF will be required to update the US DOT Crossing Inventory Form for the crossing. This form will need to be filed in this proceeding by BNSF by October 31, 2025.

C. Conclusions

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

15. 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* (“CCR”) 723-1.

16. Based on the Findings of Fact, the Application is granted consistent with the discussion above.

II. ORDER

A. The Commission Orders That:

1. The Application (“Application”) filed by Weld County on July 9, 2025, for an order authorizing the installation of advance warning signs northbound along County Road (“CR”) 51 and adjustment of advance warning pavement markings on approach to tracks owned by BNSF Railway Company (“BNSF”) at railroad milepost 509.08 of the Powder River Division, Brush subdivision, National Inventory No. 057212N in Weld County, State of Colorado is deemed complete within the meaning of § 40-6-109.5, C.R.S., and is granted.

2. Weld County is authorized and ordered to proceed with the installation of advance warning signs northbound along CR 51 and adjustment of advance warning pavement markings at the crossing.

3. Weld County shall file a copy of the signed Construction and Maintenance Agreement with BNSF for this project by September 21, 2025, prior to starting work at the crossing.

4. Weld County is required to inform the Commission in writing that the work is complete within 10 days after completion. We shall expect this letter by October 31, 2025. However, we understand this letter may be provided earlier or later than this date depending on changes or delays to the construction schedule.

5. BNSF will be required to update the US DOT Crossing Inventory Form for the crossing. This form will need to be filed in this proceeding by BNSF by October 31, 2025.

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 20, 2025.**

(S E A L)



ATTEST: A TRUE COPY

A handwritten signature in cursive script that reads "Rebecca E. White".

Rebecca E. White,
Director

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

MEGAN M. GILMAN

TOM PLANT

Commissioners

COMMISSIONER ERIC BLANK
ABSENT