

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

PROCEEDING NO. 25R-0211R

IN THE MATTER OF THE PROPOSED AMENDMENTS TO THE STATE SAFETY OVERSIGHT PROGRAM STANDARD FOR RAIL FIXED GUIDEWAY PUBLIC TRANSPORTATION SYSTEMS RULES, 4 CODE OF COLORADO REGULATIONS 723-7-7340 THROUGH 7363.

**RECOMMENDED DECISION
ADOPTING RULES AND CLOSING PROCEEDING**

Issued Date: November 20, 2025

I. STATEMENT

A. Background

1. On May 29, 2025, the Public Utilities Commission (“Commission”) issued the Notice of Proposed Rulemaking (“NOPR”) that commenced this proceeding.¹ In the NOPR, the Commission proposed to amend the Rules Regulating Railroads, Rail Fixed Guideways, Transportation by Rail, and Rail Crossings. The purpose of the amendments “is to revise the Program Standard to conform to recently adopted rule changes at the federal level”² The NOPR scheduled a public comment hearing for July 7, 2025, at 11:30 a.m.

2. Nobody filed comments before the public comment hearing.

3. The Administrative Law Judge (“ALJ”) held the hearing on July 7, 2025, starting at 11:30 a.m. A representative of the Regional Transportation District attended the hearing.

¹ See Decision No. C25-0388.

² NOPR at p. 3 (¶ 2).

B. Analysis

4. The ALJ has carefully reviewed the proposed rule changes. Based on that review, and the absence of any comments requesting changes to the proposed rules, the ALJ will adopt the proposed changes in full.

5. Pursuant to the provisions of § 40-6-109, C.R.S., it is recommended that the Commission adopt the attached rules.

II. ORDER

A. The Commission Orders That:

1. The Rules Regulating Railroads, Rail Fixed Guideways, Transportation by Rail, and Rail Crossings 723-7-7000 through 7399 attached to this Recommended Decision as Attachment B are adopted.

2. The rules in legislative format (strikethrough/redline) are attached to this Recommended Decision as Attachment A. The rules in final format are attached to this Recommended Decision as Attachment B. They are also available in the Commission's E-Filings system at:

https://www.dora.state.co.us/pls/efi/EFI.Show_Docket?p_session_id=&p_docket_id=25R-0211R.

3. Proceeding No. 25R-0211R is closed.

4. This Recommended Decision shall be effective on the day it becomes the Decision of the Commission, if that is the case, and is entered as of the date above.

5. As provided by § 40-6-109, C.R.S., copies of this Recommended Decision shall be made available to all parties in the proceeding, who may file exceptions to it.

- a. If no exceptions are filed within 20 days after service or within any extended period of time authorized, or unless the decision is stayed by the Commission upon its own motion, the recommended decision shall become the decision of the Commission and subject to the provisions of § 40-6-114, C.R.S.
- b. If a party seeks to amend, modify, annul, or reverse basic findings of fact in its exceptions, that party must request and pay for a transcript to be filed, or the parties may stipulate to portions of the transcript according to the procedure stated in § 40-6-113, C.R.S. If no transcript or stipulation is filed, the Commission is bound by the facts set out by the administrative law judge and the parties cannot challenge these facts. This will limit what the Commission can review if exceptions are filed.

6. If exceptions to this Decision are filed, they shall not exceed 30 pages in length, unless the Commission for good cause shown permits this limit to be exceeded.

(S E A L)



THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

CONOR F. FARLEY

Administrative Law Judge

ATTEST: A TRUE COPY

Rebecca E. White,
Director