

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
THE REGIONAL TRANSPORTATION DISTRICT)
AND THE DENVER AND RIO GRANDE)
WESTERN RAILROAD COMPANY FOR)
AUTHORITY TO REMOVE THE D&RGW'S)
FORMER SOUTH BOUND MAIN, TO UPGRADE)
THE FORMER D&RGW NORTH BOUND MAIN,)
TO INSTALL A NEW LRT TRACK AND THE)
GENERAL CONSTRUCTION OF ONE RAILROAD)
CROSSING AND TWO LIGHT RAIL)
CROSSINGS AT WEST 13TH AVENUE, IN)
THE CITY AND COUNTY OF DENVER,)
STATE OF COLORADO.)

DOCKET NO. 92A-660R

COMMISSION ORDER
GRANTING MOTION TO
REOPEN DOCKET AND
MODIFY DECISION NO. C94-3

Adopted Date: April 22, 1994

Mailed Date: April 25, 1994

STATEMENT

BY THE COMMISSION:

1. On April 14, 1994, the Regional Transportation District (RTD) filed a motion to reopen Docket No. 92A-660R, augment the record and modify Decision No. C94-3 dated January 5, 1994.
2. The Commission gave ten day notice of the petition to augment the record and modify the decision together with a copy of the petition, to all parties of record in accordance with § 40-6-112 and § 40-6-108, C.R.S., 1993. The Notice was mailed April 21, 1994.
3. On April 22, 1994, the City and County of Denver, Colorado, one of the parties of record in this proceeding filed its consent to RTD's motion to reopen Docket No. 92A-660R, augment the record and modify Decision No. C94-3 and waived its right to further notice.
4. On April 22, 1994, the Denver and Rio Grande Western Railroad Company, the other party of record and joint applicant in this proceeding filed its response in support of RTD's motion to reopen Docket No. 92A-660R, augment the record and modify Decision No. C94-3 and waived its right to further notice.
5. Staff of the Commission supports the petition of RTD and recommends that Decision No. C94-3 be modified as requested.

FINDINGS OF FACT

THE COMMISSION FINDS:

1. By Decision C94-3, dated January 5, 1994, the Commission authorized the removal of one DRGW track, the reconstruction of a DRGW track, the construction of two RTD light rail tracks and the upgrading of the grade crossing warning devices at the crossing of West 13th Avenue at railroad milepost 1.47, National Inventory I.D. No. 253-014G, in the City and County of Denver, Colorado.
2. The modifications, including the installation of automatic flashing light signals, gates and bell have been completed. RTD has begun testing of the light rail vehicles over the crossing. Numerous vehicular traffic violations of motorists driving around the gates have been observed and traffic citations issued.
3. RTD proposes to install additional warning devices at the crossing to provide motorists with specific warning of the high speed light rail vehicle crossings.
4. Good cause having been shown, authority to install the additional warning devices to supplement the automatic flashing light signals, gates and warning bell, will promote public safety and should be approved as proposed herein.

ORDER

THE COMMISSION ORDERS THAT:

1. Docket No. 92A-660R is reopened and the record is augmented to incorporate the pleading of the Regional Transportation District together with the Exhibits attached thereto. Decision No. C94-3 dated January 5, 1994 is modified to authorize and require the installation of additional warning devices in accordance with the supplemental plans and specifications submitted in this application and hereby approved.
2. The Commission retains jurisdiction to enter further required orders.

This Order is effective on the date of mailing.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners

CHAIRMAN ROBERT E. TEMMER RESIGNED
EFFECTIVE MARCH 1, 1994