

Decision No. C24-0048-I

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

PROCEEDING NO. 23A-0598R

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IN THE MATTER OF THE APPLICATION OF THE COLORADO DEPARTMENT OF TRANSPORTATION, FOR AUTHORITY TO REPLACE EXISTING TRAFFIC SIGNAL INTERCONNECTION WITH NEW TRAFFIC SIGNAL INTERCONNECTION TO EXISTING RAILROAD ACTIVE WARNING SIGNAL BUNGALOW AT THE COLORADO STATE HIGHWAY 119-63RD STREET INTERSECTION CONNECTION TO THE 63RD STREET (DOT# 244-827V) CROSSING OF TRACKS OWNED BY BNSF RAILWAY, IN BOULDER COUNTY, STATE OF COLORADO.

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**INTERIM COMMISSION DECISION REFERRING  
MATTER TO AN ADMINISTRATIVE LAW JUDGE  
FOR DISPOSITION**

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Mailed Date: January 24, 2024

Adopted Date: January 24, 2024

**I. BY THE COMMISSION**

**A. Statement**

1. This matter comes before the Commission for consideration of an application (Application) filed by the Colorado Department of Transportation (CDOT) on December 8, 2023, requesting authority to replace an existing traffic signal interconnection from the traffic signal at Colorado State Highway 119 (SH 119) and 63rd Street with the tracks of the BNSF Railway (BNSF) at railroad milepost 35.29 of the Front Range Subdivision, National Inventory No. 244827V near the Town of Niwot, County of Boulder, in the 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 December 13, 2023.

3. On December 29, 2023, BNSF filed a Notice of Intervention contesting and opposing the Application. BNSF states that devices recommended by the safety diagnostic team were omitted from the Application.

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

5. Now being fully advised in the matter, we refer the Application to an Administrative Law Judge for determination of completeness, disposition of the interventions and a determination of the merits of the Application.

## **II. ORDER**

### **A. It Is Ordered That:**

1. Proceeding No. 23A-0598R is referred to an Administrative Law Judge of the Colorado Public Utilities Commission for disposition of the completeness, interventions and determination of the merits of the Application.

2. This Decision is effective on its Mailed Date.

**B. ADOPTED IN COMMISSIONERS' WEEKLY MEETING  
January 24, 2024.**

(SEAL)



ATTEST: A TRUE COPY

Rebecca E. White,  
Director

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

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Commissioners