

Decision No. C25-0497

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

PROCEEDING NO. 25A-0186R

IN THE MATTER OF THE APPLICATION OF THE TOWN OF CASTLE ROCK FOR AUTHORITY TO OBTAIN PUC AUTHORIZATION TO REMOVE THE EXISTING BNSF RAILWAY COMPANY (BNSF) CROSSING LINE 0477 MP 34.483 (U.S. DOT #003598N), AND TO CONSTRUCT THE CRYSTAL VALLEY PARKWAY OVERPASS BRIDGE STRUCTURE OVER THE BNSF TRACKS AT MP 34.483 (U.S. DOT#980854V) IN CASTLE ROCK, DOUGLAS COUNTY, STATE OF COLORADO.

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

Issued Date: July 1, 2025
Adopted Date: June 25, 2025

I. BY THE COMMISSION

A. Statement

1. This matter comes before the Commission for consideration of an Application (“Application”) filed by The Town of Castle Rock (“Castle Rock”), on May 1, 2025, for an order authorizing the removal of the existing at-grade crossing at Territorial Road, at BNSF milepost 34.483, Latitude 39.3391942, Longitude -104.876520, by removal of the road, National Inventory No. 003598N, and to construct the Crystal Valley Parkway overpass bridge over the tracks owned by BNSF Railway Company (BNSF) at Crystal Valley Parkway, at BNSF milepost 34.483, Latitude 39.33913 Longitude -104.87656, National Inventory No. 980854V, in Douglas County, State of Colorado.

2. On May 6, 2025, BNSF intervened in this proceeding as matter of right. BNSF does not contest or oppose the Application.

3. 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 May 16, 2025.

4. On May 22, 2025, Castle Rock provided the affidavit of Aaron Monks of the posting of the notice of proposed closure at the at-grade crossing.

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

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

B. Findings of Fact

7. The Commission gave notice to all interested parties, including the adjacent property owners.

8. BNSF intervened in this proceeding as matter of right. BNSF does not contest or oppose the Application. No public comments were filed regarding the Application.

9. Castle Rock requests authority to abolish the at-grade crossing of Territorial Road with the tracks of BNSF and to construct the Crystal Valley Parkway overpass bridge over the tracks of BNSF in Castle Rock, Colorado. Closure of the crossing of Territorial Road will involve the abandonment and relocation of the existing frontage road of Interstate-25 from the east side to the west side of the tracks as part of the larger Crystal Valley Parkway Interchange project, effectively removing the need for the crossing. The closure of the crossing will occur at the completion of construction of the Crystal Valley Parkway overpass bridge, and relocation of the Frontage Rd. There will be no dependency on adjacent crossings to handle traffic from Territorial Road as traffic will be handled by the Crystal Valley Parkway overpass. The Crystal

Valley Parkway structure over the BNSF tracks will provide a grade separated crossing for traffic to access locations on both sides of Interstate-25 and the tracks.

10. Most recent traffic volumes for Territorial Road at the subject crossing is 200 vehicles per day (“VPD”) as of 2025. 2.5 percent of this traffic volume is estimated to be heavy vehicles. No school buses use the crossing. There are currently 2 trains per day that use the crossing at a maximum timetable speed of 45 MPH.

11. The proposed Crystal Valley Parkway overpass structure is designed to clear span the entire railroad corridor. The bridge is proposed to be 470’-1/8” in length from back face of abutment to back face of abutment. The minimum clearance under the bridge structure is proposed at 23’-7” from the top of rail of the existing BNSF track to the bottom of the girder. The bridge has 4 spans and will span Interstate-25 NB and SB lanes (in two spans) the existing BNSF track and a potential future BNSF track (one span), and a proposed collector road (one span). There is proposed to be 55’-4” horizontal clearance from the existing BNSF track to the proposed piers to the east and a proposed 31’-2” horizontal clearance from the centerline of potential future BNSF track to the proposed piers to the west. The bridge span traversing the tracks is proposed to be 110’-0” long and 106’-6” out to out and consist of a Type 9 bridge rail with special 78” chain link fence, a 12’-0” multi-use path next to a 2’-0” shoulder and 2’-0’ curb, 2 EB 11’-0” lanes, a 1’-0” shoulder, a 14’-6” median, a 1’-0” shoulder, 3 11’-0” WB lanes, a 2’-0” shoulder and 2’-0’ curb next to a 12’-0” multi-use path, and Type 9 bridge rail with special 78” chain link fence.

12. The proposed minimum clearances for the bridge structure meet or exceed the minimum requirements found in Rules 7324 and 7325 of the Commission Rules Regulating

Railroads, Rail Fixed Guideways, Transportation by Rail, and Rail Crossings, 4 *Code of Colorado Regulations* (“CCR”) 723-7.

13. Castle Rock estimates the cost of the project to be \$69,579,082.70. Castle Rock will cover the cost of this work as part of the Capital Improvement Plan for the Public Works Department, Town of Castle Rock, Project No. CIP22-0013, Crystal Valley Interchange – Package 2 (Federal Aid Project No. NHPP 0252-518, Subaccount No. 25846). BNSF voluntarily contributed \$920,243.70 to the project.

14. Castle Rock started the Crystal Valley Parkway Interchange project on June 17, 2024, and anticipates being complete with the work by March 31, 2027. Castle Rock 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 March 31, 2027. However, the Commission understands this letter may be provided earlier or later than this date depending on changes or delays to the construction schedule.

15. BNSF will be required to update the National Inventory Form to show the at-grade crossing at Territorial Road as closed and to create a National Inventory Form for the Crystal Valley Parkway grade separated crossing. The updated forms for these crossings will need to be filed in this proceeding by BNSF by March 31, 2027.

C. Conclusions

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

17. BNSF intervened in this proceeding as matter of right. BNSF does not contest or oppose the Application

18. 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* 723-1.

19. 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 The Town of Castle Rock (“Castle Rock”), on May 1, 2025, for an order authorizing the removal of the existing at-grade crossing at Territorial Road, at BNSF milepost 34.483, Latitude 39.3391942, Longitude -104.876520, by removal of the road, National Inventory No. 003598N, and to construct the Crystal Valley Parkway overpass bridge over the tracks owned by BNSF Railway Company (“BNSF”) at Crystal Valley Parkway, at BNSF milepost 34.483, Latitude 39.33913 Longitude -104.87656, National Inventory No. 980854V, in Douglas County, State of Colorado is deemed complete within the meaning of § 40-6-109.5, C.R.S., and is granted.

2. Castle Rock is authorized and ordered to proceed with the closure of the at-grade crossing of Territory Road with the tracks of BNSF and the construction of the Crystal Valley Parkway overpass bridge over the tracks owned by BNSF at Crystal Valley Parkway in Douglas County Colorado.

3. Castle Rock 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 March 31, 2027. However, the Commission understands this letter may be provided earlier or later than this date depending on changes or delays to the construction schedule.

4. BNSF will be required to update the National Inventory Form to show the at-grade crossing at Territorial Road as closed and to create a National Inventory Form for the Crystal Valley Parkway grade separated crossing. The updated forms for these crossings will need to be filed in this proceeding by BNSF by March 31, 2027.

5. 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.

6. The Commission retains jurisdiction to enter further decisions as necessary.

7. This Decision is effective upon its Issued Date.

**A. ADOPTED IN COMMISSIONERS' WEEKLY MEETING
June 25, 2025.**

(S E A L)



ATTEST: A TRUE COPY

Rebecca E. White

Rebecca E. White,
Director

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

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MEGAN M. GILMAN

TOM PLANT

Commissioners