

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

DOCKET NO. 03A-023R

---

IN THE MATTER OF THE APPLICATION OF THE REGIONAL TRANSPORTATION DISTRICT AND THE CITY AND COUNTY OF DENVER FOR AUTHORITY TO ALTER, RECONSTRUCT, OPERATE, AND MAINTAIN THE LIGHT RAIL CROSSING AT 14<sup>TH</sup> AND STOUT STREETS AND TO ABOLISH THE LIGHT RAIL CROSSING AT 13<sup>TH</sup> AND STOUT STREETS, BOTH OF WHICH ARE IN THE VICINITY OF THE COLORADO CONVENTION CENTER IN THE CITY AND COUNTY OF DENVER, STATE OF COLORADO.

---

**COMMISSION ORDER GRANTING APPLICATION**

---

---

Mailed Date: March 7, 2003

Adopted Date: March 5, 2003

**I. BY THE COMMISSION:**

**A. Statement**

1. On January 17, 2003, the Regional Transportation District (RTD) and the City and County of Denver, Colorado (Denver) filed this application for authority to abolish the light rail grade crossing at 13<sup>th</sup> and Stout Streets and to alter and reconstruct the light rail grade crossing at 14<sup>th</sup> and Stout Streets, both of which are located in the City and County of Denver, Colorado.

2. On January 21, 2003, the Staff of the Commission filed its Entry of Appearance and Notice of Intervention.

3. The Commission gave notice of this application together with a copy of the application to all interested parties, including the adjacent property owners, in accordance with § 40-6-108(2), C.R.S. This Notice was mailed January 21, 2003.

4. No protests, objections, or petitions to intervene in opposition were filed in this application. This application is noncontested and unopposed.

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

6. The Commission has reviewed the record in this matter and deems that the application is now complete within the meaning of § 40-6-109.5, C.R.S.

7. The Commission will determine this matter upon the record, without a formal oral hearing under § 40-6-109(5), C.R.S., and Commission Rules of Practice and Procedure No. 24, 4 CCR 723-1, because the application is noncontested and unopposed.

**B. Findings of Fact**

8. Notice of the proposed light rail grade crossing abolition, alteration and reconstruction has been given by the Commission to all interested parties, including adjacent property owners. No intervenor who filed a petition to intervene or other pleading contested or opposed the application.

9. RTD, a political subdivision of the State of Colorado, was established to develop, operate and maintain a mass transportation system for the District, which includes Boulder, Denver and Jefferson counties, plus portions of Adams, Arapahoe, and Douglas counties.

10. Denver is currently undertaking the expansion of the Colorado Convention Center. As part of the expansion project, 13<sup>th</sup> Street crossing will be vacated and Stout Street and RTD's light rail line will be relocated around the expanded Colorado Convention Center.

11. The purpose of this application is to secure Commission approval to abolish the light rail grade crossing at 13<sup>th</sup> and Stout Streets and authority to alter and reconstruct the light rail grade crossing at 14<sup>th</sup> and Stout Streets.

12. Standard traffic signals control vehicle traffic at the intersection of 14<sup>th</sup> Street and Stout Street. Approaching light rail vehicles will be detected and controlled by wayside signals that are interconnected to the traffic signals.

13. The construction, operation, maintenance, and funding of the light rail facilities are covered by an Intergovernmental Agreement, dated December 17, 2002, by and between RTD and Denver.

14. Under this Agreement RTD will continue to operate and maintain its light rail facilities. Denver will maintain its facilities, roadways and, traffic signals.

15. All exhibits, specifications and plans are complete, accurate and meet Commission requirements.

16. The public safety, convenience and necessity requires, and will be served, by the granting of this application as hereinafter ordered.

**C. Conclusions on Findings of Fact**

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

18. The application is noncontested and unopposed.

19. The Commission will determine this matter on the record, without a formal hearing, under § 40-6-109(5), C.R.S. (1993), and Rule 24, of the Commission's Rules of Practice and Procedure, 4 CCR 723-1.

20. The public safety, convenience, and necessity require, and will be served by, the granting of this application.

**II. ORDER:****A. The Commission Orders That:**

1. The Regional Transportation District and the City and County of Denver, Colorado are authorized to abolish the light rail grade crossing at 13<sup>th</sup> and Stout Streets and to alter and reconstruct the light rail grade crossing at 14<sup>th</sup> and Stout Streets, both of which are located in the City and County of Denver, Colorado.

2. All work done shall be in accordance with the plans, specifications and exhibits submitted in this application and hereby approved.

3. The construction, operation, maintenance, and funding of the light rail facilities authorized in Ordering Paragraph No.1 above shall be in accordance with the Intergovernmental Agreement, dated December 17, 2002, by and between the Regional Transportation District and the City and County of Denver, Colorado.

4. The Commission retains jurisdiction to enter further orders as required.

5. This Order is effective on its Mailed Date.

**B. ADOPTED IN COMMISSIONS' WEEKLEY MEETING  
MARCH 5, 2003**

(S E A L)



ATTEST: A TRUE COPY

Bruce N. Smith  
Director

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

GREGORY E. SOPKIN

---

POLLY PAGE

---

JIM DYER

---

Commissioners