

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

DOCKET NO. 00A-594R

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IN THE MATTER OF THE APPLICATION FOR THE CITY OF THORNTON, COLORADO,  
FOR AN ORDER AUTHORIZING THE INSTALLATION OF RAIL-HIGHWAY CROSSING  
PROTECTION DEVICES TO BE CONSTRUCTED ON THE RIGHT-OF-WAY OF THE  
UNION PACIFIC RAILROAD COMPANY AND 136<sup>TH</sup> AVENUE NEAR YORK STREET IN  
THORNTON, COLORADO.

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**COMMISSION ORDER GRANTING APPLICATION**

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Mailed Date: October 3, 2003  
Adopted Date: October 1, 2003

**I. BY THE COMMISSION**

**A. Statement**

1. On October 24, 2000, the City of Thornton, Colorado (Thornton), filed this application requesting authority to widen a grade crossing and modify the grade crossing warning devices that consist of flashing light signals with gates, bells, and constant warning track circuits at the crossing of 136<sup>th</sup> Avenue across the tracks and right-of-way of The Union Pacific Railroad Company (UPRR), at railroad milepost 10.25, National Inventory I.D. No. 804-305V in the City of Thornton, Adams County, Colorado.

2. On October 30, 2000, 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. (1993). This Notice was mailed October 30, 2000.

4. On November 15, 2000, UPRR filed its Entry of Appearance and Notice of Intervention.

5. On December 8, 2000, Thornton's Assistant City Attorney filed her Entry of Appearance.

6. On April 13, 2001, Thornton filed supplemental information to define the widening of the crossing.

7. 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.

8. The Commission will determine this matter upon the record, without a formal hearing under § 40-6-109(5), C.R.S., and Rule 24, Commission Rule of Practice and Procedure, 4 *Colorado Code of Regulations* ("CCR") 723-1, because the application is noncontested and the Applicant did not request a public hearing.

**B. Findings of Fact**

9. The purpose of this application is to secure Commission approval to widen the crossing and modify the grade crossing warning devices that consist of flashing light signals with gates, bells, and constant warning track circuits at the crossing of 136<sup>th</sup> Avenue across the tracks and right-of-way of UPRR at railroad milepost 10.25, National Inventory I.D. No. 804-305V in the City of Thornton, Adams County, Colorado.

10. 136th Avenue presently accommodates two travel lanes. The existing crossing is controlled by flashing light signals with gates, bells, and constant warning track circuits.

11. Thornton will widen the crossing to accommodate a left turn lane, a through lane, a through bicycle lane, and a right turn lane for south bound traffic, a raised median, a through bicycle lane, and one through lane for northbound traffic on 136th Avenue. There will also be a detached sidewalk on each side of the roadway. The existing warning devices, consisting of mast mounted flashing light signals with gates and bells for each approach, will be relocated to accommodate the new roadway width. Additional mast mounted flashing light signals will be located in the raised median on both sides of the crossing. The total cost of the project will be paid by Thornton.

12. The average daily vehicular traffic count on 136th Avenue at the existing crossing is approximately 3,200 vehicles per day with a projected increase to 5,100. The posted vehicle speed is 30 mph. Currently no trains operate over the crossing.

13. Maintenance of the roadway approaches to the crossing will continue to be the responsibility of Thornton. Maintenance of the crossing surface, roadbed, tracks, grade crossing warning devices, and appurtenances will continue to be the responsibility of UPRR.

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

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

**C. Conclusions On Findings Of Fact**

16. The Commission has jurisdiction in this matter under § 40-4-106(2)(a) and (3)(a), C.R.S. (1993).

17. No intervention was received in opposition to this application. The application is noncontested and unopposed.

18. 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, Commission Rules of Practice and Procedure, 4 CCR 723-1.

19. 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 City of Thornton, Colorado is authorized to widen the crossing and modify the grade crossing warning devices that consist of flashing light signals with gates, bells, and constant warning track circuits at the crossing of 136th Avenue across the tracks and right-of-way of the Union Pacific Railroad Company at railroad milepost 10.25, National Inventory I.D. No. 804-305V in the City of Thornton, Adams County, Colorado.

2. The widening of the grade crossing and the modification of the grade crossing warning devices authorized in Ordering Paragraph 1 above shall be in accordance with the plans, specifications, and exhibits submitted in this application and hereby approved.

3. The total actual cost of the project shall be paid by the City of Thornton, Colorado.

4. The Union Pacific Railroad Company shall maintain the grade crossing warning devices at its own expense for the life of the crossing so protected.

5. The Commission retains jurisdiction to enter further required orders.
6. This Order is effective upon its Mailed Date.

**B. ADOPTED IN COMMISSIONERS' WEEKLY MEETING  
October 1, 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

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Commissioners