

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

DOCKET NO. 02A-528R

IN THE MATTER OF THE COLORADO DEPARTMENT OF TRANSPORTATION, FOR
AUTHORITY TO DEMOLISH THE EXISTING BRIDGE AND CONSTRUCT A NEW
BRIDGE AT THE INTERSTAE HIGHWAY 25 CROSSING UNDER THE UNION PACIFIC
RIALROAD TRACK IN DOUGLAS COUNTY, COLORADO

COMMISSION ORDER GRANTING APPLICATION

Mailed Date: July 21, 2004
Adopted Date: July 20, 2004

I. BY THE COMMISSION:

A. Statement

1. On October 1, 2002, the Colorado Department of Transportation, (CDOT), filed this application requesting authority to construct a new highway/railroad grade separation structure No.G-17-CS and demolish the existing highway/railroad grade separation structure No. G-17-N that carries The Union Pacific Railroad Company (UPRR) over Interstate Highway 25 (I-25), railroad milepost 31.20, National Inventory Crossing No. 253-064K located near Castle Rock in Douglas County, Colorado.

2. On October 3, 2002, 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 adjacent property owners in accordance with § 40-6-108(2), C.R.S. The Notice was mailed October 3, 2002.

4. On October 18, 2002, the UPRR filed its Entry of Appearance and Notice of Intervention.

5. Received by the Commission as a late-filed exhibit on March 4, 2004, is a copy of the fully executed Contract dated March 2, 2004, by and between CDOT and UPRR, providing for construction, operation and maintenance of the highway/railroad grade separation structure (No.G-17-CS) and the demolition of the existing structure (No.G-17-N) of I-25 under the tracks of UPRR located near Castle Rock.

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

B. Findings of Fact

7. Notice of the proposed demolition and construction of the highway/railroad grade separation structures 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.

8. CDOT is improving a portion of I-25 located near Castle Rock in Douglas County, Colorado. By this application, CDOT proposes to replace the existing highway/railroad grade separation structure that carries I-25 under the tracks of the UPRR at railroad milepost 31.20, with a new structure.

9. The new I-25 structure (Structure No. G-17-CS) will have four (4) spans with a total length of 508'0". The minimum vertical clearance from the top of pavement to the bottom of the girders will be 17'9". The structure will be 16'11", wide handrail to handrail.

10. Average daily vehicle traffic on I-25 at the project area was 60,250 in 1998 and projected to be 124,400 vehicles per day in 2020. The UPRR track has approximately 48 train movements each day with a train speed of 45 miles per hour.

11. The funds appropriated for, and the estimated cost of the complete project is \$433,324.

12. Maintenance of the new highway/railroad grade separation structure will be the responsibility of the CDOT and UPRR in accordance with the agreement by and between the CDOT and UPRR dated March 2, 2004. Under the terms of this agreement, UPRR will continue to maintain its track, rails, ties, ballast, sub-ballast, warning devices, communication and signal wiring and equipment on the new structure and CDOT will maintain the structure including the deck, bridge rail, substructure, abutments, approach slabs and storm drainage system.

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

C. CONCLUSIONS ON FINDINGS OF FACT

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

15. No intervenor who filed a petition to intervene or other pleading contested or opposed the application. The application is uncontested and unopposed.

16. The Commission will determine this matter, without a formal hearing pursuant to § 40-6-109(5), C.R.S., and 4 CCR 723-I.

17. The public safety, convenience and necessity requires, and will be served by granting this application.

II. ORDER**A. THE COMMISSION ORDERS THAT:**

1. The Colorado Department of Transportation is authorized to construct, operate and maintain a highway/railroad grade separation structure to carry Interstate Highway 25 under the tracks of The Union Pacific Railroad Company at railroad milepost 31.20, more or less, located near Castle Rock in Douglas County, Colorado.

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

3. The total actual cost of labor and material required for the highway/railroad grade separation structure authorized in ordering paragraph No. 1 above shall be paid in accordance with the Agreement between the Colorado Department of Transportation and The Union Pacific Railroad Company dated March 2, 2004.

4. Maintenance of the completed grade-separation structure shall be in accordance with the Agreement dated March 2, 2004, by and between the Colorado Department of Transportation, and The Union Pacific Railroad Company.

5. The Commission retains jurisdiction to make further orders as required in this matter.

6. This Order is effective on its Mailed Date.

**B. ADOPTED IN COMMISSIONERS' WEEKLY MEETING
JULY 20, 2004.**

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners