

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

PROCEEDING NO. 18A-0293R

IN THE MATTER OF THE JOINT APPLICATION OF THE COLORADO DEPARTMENT OF TRANSPORTATION AND THE CITY AND COUNTY OF DENVER FOR AN ORDER AUTHORIZING THE DEMOLITION OF THE EXISTING 46TH AVENUE UNDERPASS BRIDGE WITH THE UNION PACIFIC RAILROAD COMPANY TRACKS AT MILE POST 2.77 ON THE GREELEY SUBDIVISION, DEMOLITION OF THE EXISTING INTERSTATE 70 VIADUCT OVERPASS BRIDGE WITH THE UNION PACIFIC RAILROAD COMPANY TRACKS AT MILE POST 2.76 ON THE GREELEY SUBDIVISION, CONSTRUCTION OF THE REPLACEMENT INTERSTATE 70 UNDERPASS, CONSTRUCTION OF THE REPLACEMENT 46TH AVENUE UNDERPASS, AND THE WIDENING OF YORK STREET AT THE EXISTING AT-GRADE CROSSING OF THE UNION PACIFIC RAILROAD COMPANY TRACKS AT RAILROAD MILE POST 2.98 ON THE GRELEY SUBDIVISION, INCLUDING THE REPLACEMENT OF WARNING DEVICES WITH NEW SIGNAL INTERCONNECTION WITH THE NEW TRAFFIC SIGNAL AT YORK STREET AND 47TH AVENUE IN THE CITY AND COUNTY OF DENVER, STATE OF COLORADO.

**COMMISSION DECISION GRANTING
STAGE 4, STAGE 5, AND STAGE 6 PLANS**

Mailed Date: April 12, 2021

Adopted Date: April 7, 2021

I. BY THE COMMISSION

A. Statement

1. This matter comes before the Commission for consideration of an Application Amendment (Amended Application) filed jointly by the Colorado Department of Transportation (CDOT) and the City and County of Denver (collectively Applicants), on March 18, 2021, seeking final approval for the remaining Central 70 project stages including Stage 4, Stage 5, and Stage 6 plans.

2. On March 25, 2021, CDOT filed additional exhibits to the Amended Application.

3. Now being fully advised in the matter, we grant the Application for Stage 4, Stage 5, and Stage 6.

B. Findings of Fact

4. The Applicants file this Amended Application for final approval of the Stage 4, Stage 5, and Stage 6 plans including plans attached to the Amended Application and additional exhibits to the Amended Application filed on March 25, 2021. Stage 4 of the project consists of opening 46th Avenue North to pedestrians and vehicular traffic and move all I-70 traffic to the new I-70 westbound lanes. Stage 5 consists of demolition of the I-70 viaduct and constructing the final pedestrian and vehicle configuration for I-70 and 46th Avenue South and opening the new I-70 eastbound to traffic and 46th Avenue South to pedestrian and vehicle traffic.

5. Stage 6 finishes the final York Street Construction including the replacement of the existing active warning devices, construction of the new traffic signal, and interconnection with and advanced preemption of the new traffic signal. The intersection configuration and traffic signal operations have changed from the original application. A diagonal bicycle crossing has been added at the York Street/47th Avenue intersection and the preemption has also changed. A second timer that adds an additional fixed 16 seconds advanced preemption time has been added to the operations to keep the total warning time for vehicles under 50 seconds. The advanced preemption for the vehicles is now 11 seconds.

6. The Applicants propose to start construction of the final three phases on May 21, 2021 upon Commission approval of the Amended Application and additional exhibits.

C. Conclusions

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

8. No intervenor that filed a petition to intervene or other pleading contests or opposes the Amended Application.

9. Because the Amended Application is unopposed, the Commission finds that it will determine this matter upon the record, without a formal hearing under § 40-6-109(5), C.R.S., and Rule 1403, 4 *Code of Colorado Regulations* 723-1 of the Commission's Rules of Practice and Procedure.

10. Based on the Findings of Fact, we find that good cause exists and that the requirements of public safety and necessity are met by granting the Application for the Joint Applicants' Stage 4, Stage 5, and Stage 6 final plans.

II. ORDER

A. The Commission Orders That:

1. The Application Amendment filed jointly by the Colorado Department of Transportation and the City and County of Denver (collectively Applicants), on March 18, 2021, with additional exhibits filed on March 25, 2021, seeking final approval for the remaining Central 70 project stages including Stage 4, Stage 5, and Stage 6 plans is granted.

2. The Applicants are authorized and ordered to proceed with opening 46th Avenue North to pedestrians and vehicular traffic and move all I-70 traffic to the new I-70 westbound lanes; demolition of the I-70 viaduct and constructing the final pedestrian and vehicle configuration for I-70 and 46th Avenue South and opening the new I-70 eastbound to traffic and 46th Avenue South to pedestrian and vehicle traffic; and final York Street construction including the replacement of the existing active warning devices, construction of the new traffic signal, and interconnection with and advanced preemption of the new traffic signal. The advanced

preemption for vehicles will be 11 seconds and the second timer that adds additional fixed time to account for pedestrians and bicycles will be 16 seconds of advanced preemption time.

3. The 20-day period provided for in § 40-6-114, C.R.S., within which to file applications for rehearing, reargument, or reconsideration, begins on the first day following the effective date of this Decision.

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

5. This Decision is effective on its Mailed Date.

**B. ADOPTED IN COMMISSIONERS' WEEKLY MEETING
April 7, 2021.**

(S E A L)



ATTEST: A TRUE COPY

Doug Dean

Doug Dean,
Director

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

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JOHN GAVAN

MEGAN M. GILMAN

Commissioners