

Decision No. C25-0369

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

PROCEEDING NO. 25A-0119R

IN THE MATTER OF THE APPLICATION OF THE TOWN OF WINDSOR FOR AUTHORITY TO INSTALL SIDEWALK DETECTABLE WARNING PLATES IN EXISTING SIDEWALKS ON APPROACH TO TRACKS OWNED BY GREAT WESTERN RAILWAY COMPANY OF COLORADO, LLC CROSSING 5TH STREET, USDOT NO. 244894P, IN WELD COUNTY, STATE OF COLORADO.

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

Issued Date: May 14, 2025

Adopted Date: May 7, 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 Windsor (“Windsor”) on March 21, 2025, for an order authorizing the installation of detectable warning plates in all sidewalks on approach to the crossing of 5th Street with tracks owned by Great Western Railway of Colorado, LLC (“GWR”), at railroad milepost 86.54 of the Greeley subdivision, National Inventory No. 244894P, in the Town of Windsor, Weld County, State of Colorado.

2. 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 March 28, 2025.

3. On March 28, 2025, Staff of the Commission sent a Deficiency Letter to Windsor outlining missing information from the Application.

4. On April 2, 2025, Windsor filed a supplement to the Application that cured the identified deficiencies in the Application.

5. No interventions were filed in this matter.

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

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

B. Findings of Fact

8. The Commission gave notice to all interested parties, including the adjacent property owners. No intervention was received contesting or opposing the Application.

9. Windsor requests authority for the installation of detectable warning plates in all sidewalks on approach to the crossing of 5th Street with tracks owned by GWR in Windsor, Colorado. The change is necessary due to an FRA Quiet Zone inspection and is required to maintain the crossing's status as a Quiet Zone. No modifications are proposed to the roadway at the crossing, and no modifications are proposed to the existing active warning flashing light signals and gates.

10. Windsor states that most recent traffic volume at the subject crossing as of 2023 is 360 vehicles per day ("VPD"). None of this traffic volume is estimated to be heavy vehicles. School buses do not use the crossing. The posted speed limit at the crossing is 25 miles per hour ("MPH"). The five-year traffic volume projections at the crossing are 370 VPD and 20-year traffic volume projections are 400 VPD. There are currently two trains per day as of 2019 that use the crossing at a maximum timetable speed of 10 MPH with no anticipated changes in train volume in the future.

11. There have been no accidents at the crossing since 1975.

12. Windsor estimates the cost of the project at \$20,480. Windsor will cover 100 per cent of the costs of the project.

13. Windsor proposes to start the project on June 1, 2025, and anticipates being complete with the work by June 30, 2026. Windsor will be required to provide a copy of the signed Construction and Maintenance Agreement with GWR for this project by June 1, 2025, prior to starting construction on this project.

14. Windsor 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 June 30, 2026. 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. GWR will be required to update the US DOT Crossing Inventory Form for the crossing. This form will need to be filed in this proceeding by GWR on or before June 30, 2026.

C. Conclusions

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

17. 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* (“CCR”) 723-1.

18. 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 Windsor (“Windsor”) on March 21, 2025, for an order authorizing the installation of detectable warning plates in all sidewalks on approach to the crossing of 5th Street with tracks owned by Great Western Railway of Colorado, LLC (“GWR”), at railroad milepost 86.54 of the Greeley subdivision, National Inventory No. 244894P, in the Town of Windsor, Weld County, State of Colorado is deemed complete within the meaning of § 40-6-109.5, C.R.S., and is granted.

2. Windsor is authorized and ordered to proceed with the installation of detectable warning plates.

3. Windsor shall file a copy of the signed Construction and Maintenance Agreement with GWR for this project by June 1, 2025, prior to starting work at the crossing.

4. Windsor is required to inform the Commission in writing that the work is complete within 10 days after completion. We shall expect this letter by June 30, 2026. However, we understand this letter may be provided earlier or later than this date depending on changes or delays to the construction schedule.

5. GWR will be required to update the US DOT Crossing Inventory Form for the crossing. This form will need to be filed in this proceeding by GWR on or before June 30, 2026.

6. 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.

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

8. This Decision is effective upon its Issued Date.

**B. ADOPTED IN COMMISSIONERS' WEEKLY MEETING
May 7, 2025.**

(S E A L)



ATTEST: A TRUE COPY

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

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MEGAN M. GILMAN

TOM PLANT

Commissioners

Rebecca E. White,
Director