

Decision No. C25-0422

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

PROCEEDING NO. 25A-0129R

IN THE MATTER OF THE APPLICATION OF CITY AND COUNTY OF DENVER FOR AUTHORITY TO MODIFY THE EXISTING CROSSING TO ADD A PROTECTED BIKE LANE ON THE EXISTING ROAD UNDER THE REGIONAL TRANSPORTATION DISTRICT A-LINE OVERPASS AT GREEN VALLEY RANCH BLVD LOCATED APPROXIMATELY 500' EAST OF PENA BLVD IN THE CITY AND COUNTY OF DENVER, STATE OF COLORADO.

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

Issued Date: June 4, 2025
Adopted Date: May 21, 2025

I. BY THE COMMISSION

A. Statement

1. This matter comes before the Commission for consideration of an Application (“Application”) filed by the City and County of Denver (“Denver”) on March 25, 2025, for an order authorizing adding protected bike lanes on Green Valley Ranch Boulevard under Regional Transportation District (“RTD”) A-Line overpass at RTD’s East Rail Line milepost 13.72, National Inventory number 945886J in the City and County of Denver, State of Colorado.

2. On April 4, 2025, Staff of the Commission sent a Deficiency Letter to Denver outlining missing information from the Application.

3. 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 April 7, 2025.

4. On April 14, 2025, Denver filed a supplement to the Application that cured the identified deficiencies in the Application.

5. On April 16, 2025, RTD filed an Entry of Appearance and Notice of Intervention as of right in this matter. RTD states that it does not contest or oppose the Application.

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.

9. Denver requests authority to add protected bike lanes on Green Valley Ranch Blvd under Regional Transportation District (“RTD”) A-Line overpass in Denver. Denver proposes to add eastbound and westbound bike lanes to connect to the existing bike lanes on the east side of Tower Road on Green Valley Ranch Blvd.

10. The proposed bike lanes will run east to west. The design is proposed to provide a minimum of 17.5 feet clearance from the top of the bike lane pavement to the bottom of the bridge structure. The bike lanes will be 5 feet wide separated from the traffic thru lanes by a buffer zone of 7 feet width containing raised pavement marker “city posts” and 6-foot-long rubberized parking blocks. The proposed minimum clearance meets or exceeds the minimum requirements found in Rule 7327 of the Commission Rules Regulating Railroads, Rail Fixed Guideways, Transportation by Rail, and Rail Crossings, 4 *Code of Colorado Regulations* (“CCR”) 723-7.

11. Denver states there are approximately 146 commuter trains per day that use the overpass at a maximum timetable speed of 79 miles per hour (“MPH”). There are no anticipated changes in the number of trains that will use the crossings in the future.

12. Denver estimates the cost of the work to be \$352,574.71. Denver will cover the costs of the project through City Gateway and City Bond funds.

13. Denver proposes to start the project in May 2025 on approval of the Application and anticipates the work being complete by July 2025. Denver will be required to provide a copy of the signed Construction and Maintenance Agreement with RTD for this project by June 20, 2025, prior to starting construction on this project.

14. Denver will be required to inform the Commission in writing that all work is complete within 10 days of completion. The Commission will expect this letter no later than July 31, 2025. 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. RTD will be required to update the US DOT Crossing Inventory Form for the crossing by July 31, 2025.

C. Conclusions

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

17. No intervenor that filed a Petition to Intervene or other pleading contests or opposes the Application.

18. 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.

19. 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 filed by the City and County of Denver (“Denver”) on February 21, 2025, for an order authorizing adding protected bike lanes on Green Valley Ranch Boulevard under Regional Transportation District (“RTD”) A-Line overpass at RTD’s East Rail Line milepost 13.72, National Inventory number 945886J in the City and County of Denver, State of Colorado is deemed complete within the meaning of § 40-6-109.5, C.R.S., and is granted.

2. The intervention of RTD is noted.

3. Denver is authorized and ordered to proceed with the adding of protected bike lanes.

4. Denver shall file a copy of the signed Construction and Maintenance Agreement with RTD for this project by June 20, 2025, prior to starting work at the crossing.

5. Denver is required to inform the Commission in writing that the work is complete within 10 days after completion. We shall expect this letter by July 31, 2025. However, we understand this letter may be provided earlier or later than this date depending on changes or delays to the construction schedule.

6. RTD shall update the U.S. DOT Crossing Inventory Form for the crossing by July 31, 2025.

7. 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.

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

9. This Decision is effective on its Issued Date.

**B. ADOPTED IN COMMISSIONERS' WEEKLY MEETING
May 21, 2025.**

(S E A L)



ATTEST: A TRUE COPY

A handwritten signature in cursive script that reads 'Rebecca E. White'.

Rebecca E. White,
Director

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

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MEGAN M. GILMAN

TOM PLANT

Commissioners