

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

PROCEEDING NO. 12A-730R

IN THE MATTER OF THE APPLICATION OF THE CITY OF BOULDER FOR AUTHORITY TO IMPROVE EXISTING ROADWAY AND MEDIAN, CONSTRUCT A MULTI-USE PATH ON THE NORTH SIDE OF THE CROSSING, INSTALL TEMPORARY GATES AND FLASHERS DURING CONSTRUCTION PHASING, AND RELOCATE EXISTING GATES AND FLASHERS IN THE SOUTHWEST AND NORTHEAST QUADRANTS OF THE CROSSING IN THE FINAL PHASE OF CONSTRUCTION AT CROSSING OF THE BURLINGTON NORTHERN SANTA FE RAILROAD AT PEARL PARKWAY, CITY OF BOULDER, BOULDER COUNTY, CO. DOT #244-815B.

**COMMISSION DECISION
GRANTING AMENDED APPLICATION**

Mailed Date: February 18, 2014

Adopted Date: February 13, 2014

I. BY THE COMMISSION

A. Statement, Finding of Fact, and Conclusion

1. This matter comes before the Commission for consideration of a Motion to Amend Application (Motion) and amended application (Amended Application) filed by the City of Boulder (Boulder) on January 24, 2014, requesting authority to install additional railroad signal equipment, replace the existing median flashing lights, and install a new signal bungalow in a different location at the crossing of Pearl Parkway with the tracks of the BNSF Railway Company (BNSF).

2. The Commission previously approved railroad crossing signal changes and construction phasing at this crossing by Decision No. C12-0959, mailed August 17, 2012.

3. As grounds, Boulder states that it is seeking to install the additional equipment and make changes at the crossing from those approved by the Commission by

Decision No. C12-0959 to meet requirements to establish a quiet zone at the crossing in the future and to minimize possible future impacts from such a designation. The new requested equipment and signal bungalow relocation creates the need for upgrading the median signal equipment at this time.

4. The Amended Application requests to replace the existing median flashing light assemblies, install constant warning time circuitry, install a new and upgraded signal bungalow and move the location of the new bungalow to the northeast quadrant of the crossing, additional conduit, and a preemption controller in anticipation of the likely need to interconnect and preempt with a nearby traffic signal in the future.

5. On January 30, 2014, BNSF filed a Response to Applicant's Motion to Amend Application. BNSF does not oppose the Motion.

6. On February 7, 2014, the Regional Transportation District (RTD) filed a Response (Non-Opposition) to Motion to Amend Application. RTD does not oppose the Motion.

7. Now being fully advised in the matter, we find that good cause exists to grant the Motion allowing the additional new equipment requested.

II. ORDER

A. The Commission Orders That:

1. The Motion to Amend Application and amended application filed by the City of Boulder on January 24, 2014, requesting authority to install additional railroad signal equipment, replace the existing median flashing lights, and install a new signal bungalow at a different location at the crossing of Pearl Parkway with the tracks of the BNSF Railway Company is granted.

2. 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.

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

4. This Decision is effective on its Mailed Date.

**B. ADOPTED IN COMMISSIONERS' WEEKLY MEETING
February 13, 2014.**

(S E A L)



ATTEST: A TRUE COPY

A handwritten signature in cursive script that reads 'Doug Dean'.

Doug Dean,
Director

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

JOSHUA B. EPEL

PAMELA J. PATTON

GLENN A. VAAD

Commissioners