

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

PROCEEDING NO. 13A-0969R

IN THE MATTER OF THE APPLICATION OF THE REGIONAL TRANSPORTATION DISTRICT AND BNSF RAILWAY COMPANY FOR AUTHORITY TO ALTER AN AT-GRADE CROSSING AT MILLER STREET IN THE CITIES OF ARVADA AND WHEAT RIDGE, JEFFERSON COUNTY, STATE OF COLORADO.

**COMMISSION DECISION
GRANTING MOTION**

Mailed Date: October 22, 2014
Adopted Date: October 22, 2014

I. BY THE COMMISSION

A. Statement

1. This matter comes before the Commission for consideration of a Motion for Permission to Amend Application (Motion) filed jointly by the Regional Transportation District and the BNSF Railway Company (collectively Joint Applicants) on September 3, 2014, requesting authority to make changes to the proposed traffic signal layout and phasing that was originally applied for and approved by the Commission by Decision No. C13-1343 mailed October 28, 2013.

2. Because of the substantive changes proposed by the Motion, the Commission gave notice of the amended application (Notice) to all interested parties, including adjacent property owners pursuant to § 40-6-108(2), C.R.S. The Notice was mailed September 5, 2014.

3. No additional interventions were filed in this matter.

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

5. Now being fully advised in the matter, we grant the Motion.

B. Findings of Fact

6. The Commission gave notice to all interested parties, including the adjacent property owners of the amended application. No additional interventions were received opposing the amended application.

7. The Joint Applicants seek authority to amend the previously approved application to make changes to the traffic signal layout, traffic signal phasing changes, addition of microwave radar and thermal detection as well as resulting roadway, signing and striping changes. These changes include installation of a northbound pre-signal located prior to entering the crossing, relocation of traffic signal heads for northbound traffic from the nearside of the intersection to the far side of the intersection, installation of programmable traffic signal head indications for the far side signal indications, changing the traffic signal phasing from split phasing on Miller Street to concurrent phasing on Miller Street, and relocation of proposed signage to conform to the new traffic signal locations. The interconnection and preemption of the traffic signal will remain the same as previously approved by the Commission.

8. The reason for the proposed changes is to change the traffic signal phasing operations at the crossing to improve traffic flow and operations at the intersection.

9. We have reviewed the proposed changes and analyzed the effects on the safety of the Miller Street crossing. Other than the changes in the phasing at the intersection and crossing, the proposed changes do not impact the track clearance and hold intervals of the traffic signal when a train event occurs at the crossing.

C. Conclusions

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

11. No intervenor that filed a petition to intervene or other pleading contests or opposes the construction of the new crossing and active warning equipment.

12. Based on the Findings of Fact, the Motion is granted.

II. ORDER**A. The Commission Orders That:**

1. The Motion for Permission to Amend Application filed jointly by the Regional Transportation District and the BNSF Railway Company on September 3, 2014, requesting authority to make changes to the proposed traffic signal layout and phasing that was originally applied for and approved by the Commission by Decision No. C13-1343 mailed October 28, 2013 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
October 22, 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