

**BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO**

DOCKET NO. 03A-355R

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IN THE MATTER OF THE COLORADO DEPARTMENT OF TRANSPORTATION, FOR  
AUTHORITY TO INSTALL NEW FLASHING LIGHT SIGNALS AND AUTOMATIC GATE  
ARMS, AT THE CROSSING OF THE GREAT WESTERN RAILWAY TRACKS AT STATE  
HIGHWAY 257, TOWN OF WINDSOR, WELD COUNTY, COLORADO

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**COMMISSION ORDER GRANTING APPLICATION**

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Mailed Date: July 28, 2004  
Adopted Date: July 27, 2004

**I. BY THE COMMISSION**

**A. Statement**

1. On August 13, 2003, Colorado Department of Transportation (CDOT), filed an application requesting authority to install grade crossing warning devices consisting of flashing light signals with gates, bell, and motion detection track circuits at the crossing of State Highway 257, across the tracks and right-of-way of The Great Western Railway (GWRR) at railroad milepost 30.53, National Inventory I.D. No. 871-920F, in the Town of Windsor, Weld County, Colorado.

2. The Commission gave notice of this application together with a copy of the application to all interested parties, including the adjacent property owners, in accordance with § 40-6-108(2), C.R.S. This Notice was mailed August 22, 2003.

3. On August 22, 2003, the Staff of the Commission filed an Entry of Appearance and Notice of Intervention.

4. The application is uncontested and unopposed.

5. On December 15, 2003, the Commission received a copy of the fully executed Contract by and between the CDOT and GWRR, dated December 9, 2003, pertaining to the construction, maintenance, and funding for this project.

6. CDOT has waived the time limits set forth in § 40-6-109.5, (1) & (2), C.R.S. for this application.

7. The Commission has reviewed the record in this matter and deems that the application is now complete within the meaning of § 40-6-109.5, C.R.S.

**B. Findings of Fact**

8. The purpose of this application is to secure Commission approval to install grade crossing warning devices consisting of flashing light signals with gates, bell, and constant warning devices at the crossing of SH 257 across the tracks and right-of-way of GWRR at railroad milepost 30.53, National Inventory I.D. No. 871-920F in the Town of Windsor, Weld County, Colorado.

9. The GWRR operates approximately two trains per day over the crossing at a maximum timetable speed of 10 mph. The average daily vehicular traffic (ADT) over the crossing is 6,600 vehicles per day with a projected ADT of 18,534 in 2022.

10. The work to be done and the expenses therefor will be paid in accordance with the appropriate rules and regulations of the Federal Government and are covered by a Contract by and between CDOT and GWRR dated December 9, 2003. The total estimated cost of the project is \$136,224.

11. According to the application the maintenance of the roadway approaches to the crossing will be the responsibility of CDOT. Maintenance of the crossing surface, roadbed, tracks, grade crossing warning devices, and appurtenances will be the responsibility of GWRR.

12. All exhibits, specifications, and plans are complete, accurate, and meet Commission requirements.

**C. Conclusions**

13. The Commission has jurisdiction in this matter under § 40-4-106(2)(a) and (3)(a), C.R.S. (1993).

14. Because the application is unopposed the Commission will determine this matter on the record, without a formal hearing, under §40-6-109(5), C.R.S.(1993) and Rule 24, Commission Rules of Practice and Procedure, 4 CCR 723-1.

15. The public safety, convenience, and necessity require, and will be served by granting this application.

**II. ORDER**

**A. The Commission Orders That:**

1. The Colorado Department of Transportation is authorized to install grade crossing warning devices consisting of flashing light signals with gates, bell, and constant warning devices at the crossing of State Highway 257 across the tracks and right-of-way of The Great Western Railway at railroad mile post 30.53, National Inventory I.D. No. 871-920F in the Town of Windsor, Weld County, Colorado.

2. The installation, operation, and maintenance of the crossing warning devices shall comply with the Contract dated December 9, 2003, by and between the Colorado Department of Transportation, and The Great Western Railway.

3. The total actual cost of labor and material required for installation of the grade crossing warning devices shall be paid in accordance with the Contract dated November 19,

2002, by and between the Colorado Department of Transportation and The Great Western Railway.

4. The Great Western Railway shall maintain the warning devices at its own expense for the life of the crossing so protected.

5. The Commission retains jurisdiction to enter further orders as required.

6. This Order is effective upon its Mailed Date.

**B. ADOPTED IN COMMISSIONERS' WEEKLY MEETING  
July 27, 2004.**

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

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Commissioners