

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

PROCEEDING NO. 14A-1012R

IN THE MATTER OF THE APPLICATION OF THE COLORADO DEPARTMENT OF TRANSPORTATION TO WIDEN THE EXISTING UNITED STATES HIGHWAY 287 AT-GRADE CROSSING OVER THE TRACKS OF THE UNION PACIFIC RAILROAD COMPANY AND REPLACE THE SIGNAL CABIN AND INTERCONNECTION CIRCUITRY WITH THE TRAFFIC SIGNAL REPLACEMENT AT THE INTERSECTION OF UNITED STATES HIGHWAY 287 AND NORTH SHIELDS STREET IN FORT COLLINS, COLORADO.

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

Mailed Date: November 24, 2014
Adopted Date: November 20, 2014

I. BY THE COMMISSION

A. Statement

1. This matter comes before the Commission for consideration of an application (Application) filed by the Colorado Department of Transportation (CDOT) on October 10, 2014, requesting authority to widen the existing intersection of United State Highway 287 (US 287) and North Shields Street at-grade crossing at the tracks of the Union Pacific Railroad Company (UPRR), replace the existing traffic signal and install new interconnection circuitry, National Inventory No. 804514D, in the City of Fort Collins, County of Larimer, State of Colorado.

2. The Commission gave notice of this Application (Notice) to all interested parties, including adjacent property owners pursuant to § 40-6-108(2), C.R.S. The Notice was mailed October 14, 2014.

3. On November 17, 2014, UPRR late filed an Entry of Appearance and Notice of Intervention. UPRR does not contest or oppose the Application.

4. The Commission has reviewed the record in this matter and deems that the Application is complete pursuant to § 40-6-109.5, C.R.S.

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

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

B. Findings of Fact

7. The Commission gave notice to all interested parties, including the adjacent property owners. No interventions were received opposing the Application.

8. CDOT seeks authority to widen the crossing of the intersection of US 287 and North Shields Street through which the tracks of the UPRR Fort Collins Industrial Lead runs through. CDOT is reconstructing 1.75 miles of US 287 and widening the roadway from two lanes of asphalt to four through lanes with a center turn lane, sidewalks, and storm sewer systems with ponds. The intersection of US 287 and North Shields Street will be reconstructed to widen the roadway including new crossing surface panels for the widened roadway, install new traffic signals, and install new interconnection of the traffic signal with the railroad detection circuitry. The traffic signal operates such that when a train is detected, the traffic signal will be cycled through to an all red phase including the pre-signals, and will then display an indication to allow the train to move through the crossing. Once the train has moved through the crossing, the traffic signal will resume normal operations.

9. CDOT states there are currently 14,000 vehicles per day (VPD) using US 287 at a posted speed limit of 45 miles per hour (MPH) and 4,340 VPD using North Shields Street at a posted speed limit of 30 MPH. Traffic volumes are projected to increase to 15,323 VPD on US 287 with no projected increase on North Shields Street by the year 2034.

Train volumes currently using the crossing are two per day at a maximum timetable speed of 25 MPH with no projections for future growth at this time.

10. CDOT estimates the cost of this project at \$376,353 for the new railroad crossing interconnection and new crossing surface, and \$32,500 for railroad flagging. The total project cost for the project is estimated at \$16.8 million with federal-aid funds providing for 80 percent of the cost and CDOT funds providing the remaining 20 percent of the project cost.

11. CDOT proposes to start construction in January 2015 and be complete by the summer of 2017. CDOT will be required to inform the Commission in writing that all work for the interconnection is complete and the preemption is operational within ten days of completion. The Commission will expect this letter no later than August 31, 2017. However, the Commission does understand this letter may be provided earlier or later than this date depending on changes or delays to the construction schedule. CDOT will also be required to file a copy of the signed Construction and Maintenance Agreement in this proceeding by January 31, 2015 prior to construction beginning at US 287/North Shields Street crossing. Finally, we will require UPRR to update the National Inventory form for this crossing and to file that updated crossing inventory sheet in this proceeding by the end of construction on August 31, 2017.

C. Conclusions

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

13. No intervenor contests or opposes the Application.

14. 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* 723-1.

15. Based on the Findings of Fact, we find good cause exists and that the requirements of public safety and necessity are met by granting the Application consistent with the above discussion.

II. ORDER

A. The Commission Orders That:

1. The application (Application) filed by the Colorado Department of Transportation (CDOT) on October 10, 2014, requesting authority to widen the existing intersection of United State Highway 287 (US 287) and North Shields Street at-grade crossing at the tracks of the Union Pacific Railroad Company (UPRR), replace the existing traffic signal and install new interconnection circuitry, National Inventory No. 804514D, in the City of Fort Collins, County of Larimer, State of Colorado is deemed complete within the meaning of § 40-6-109.5, C.R.S.

2. The intervention of UPRR is granted.

3. The Application is granted.

4. CDOT is authorized and ordered to proceed with the roadway widening, traffic signal replacement, and interconnection with the new traffic signal at US 287 and North Shield Street with the UPRR.

5. CDOT shall file a copy of the signed Construction and Maintenance Agreement in this proceeding by January 31, 2015 prior to construction beginning at the US 287/North Shields Street crossing.

6. CDOT is required to inform the Commission in writing that the crossing changes are complete and operational within ten days after completion. We shall expect this letter by August 31, 2017. However, we understand this letter may be provided earlier or later than this date depending on changes or delays to the construction schedule.

7. UPRR is required to file a copy of the updated crossing inventory form showing the updated railroad related information for the crossing by August 31, 2017.

8. 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.

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

10. This Decision is effective on its Mailed Date.

**B. ADOPTED IN COMMISSIONERS' WEEKLY MEETING
November 20, 2014.**

(S E A L)



ATTEST: A TRUE COPY

Doug Dean,
Director

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

JOSHUA B. EPEL

PAMELA J. PATTON

GLENN A. VAAD

Commissioners