

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

PROCEEDING NO. 23A-0487R

IN THE MATTER OF THE APPLICATION OF TOWN OF TIMNATH FOR AUTHORITY TO MODIFY AN EXISTING PRIVATE AT-GRADE CROSSING TO A PUBLIC AT-GRADE CROSSING FOR TIMNATH PARKWAY ACROSS THE GREAT WESTERN RAILROAD, CROSSING #094490D, IN THE TOWN OF TIMNATH, LARIMER COUNTY, STATE OF COLORADO.

**COMMISSION DECISION GRANTING
AMENDED APPLICATION**

Issued Date: May 14, 2025
Adopted Date: May 7, 2025

I. BY THE COMMISSION

A. Statement

1. This matter comes before the Commission for consideration of an Unopposed Motion for Amendment of Application and Waiver of Response Time (“Motion”) and amended application (“Amended Application”) filed by the Town of Timnath (“Timnath”) on April 21, 2025 requesting to change the striping for the proposed crossing to have an interim condition at the crossing of the Great Western Railroad (“GWR”) with a single lane on each side, a painted median, and a bike lane on both sides of the crossing anticipated to last at least five years out with the striping changed to that approved by the Commission by Decision No. C23-0819 once traffic volumes warrant the need to provide two travel lanes in each direction. All other aspects of the original application remain the same.

2. As grounds for the Motion and Amended Application, Timnath states that the construction for Timnath Parkway north and south of the crossing is phased with one lane in each direction in Phase 1 and two lanes in each direction for Phase 2. The interim striping plan is needed to accommodate the two phases of construction. Timnath anticipates the interim striping plan to be in place at least five years, after 2030 with the final striping occurring when the crossing changes from two lanes to four lanes.

3. Great Western Railroad confirmed in written correspondence that it has no objection to this amendment.

4. The interim striping condition provides one 15' travel, one 6' striped median, and one 8' bike lane on each side of the crossing. Pavement markings would be striped for a single travel lane in each direction.

5. The final striping condition, which has been revised, provides two 11' lanes, a 2' painted stripe to delineate vehicle lanes from bike lanes, and a 5' bike lane.

6. While we typically require separate applications for an interim striping condition and a final striping condition, we have already approved the general final striping configuration in this matter as was provided in the initial application.

7. We will approve the Amended Application and require Timnath to inform the Commission in writing when Timnath changes the crossing striping from the interim striping configuration to the final striping configuration. We will initially require that this letter be provided to the Commission by December 31, 2031, so we can track when the striping changes to the final configuration.

8. Timnath will be required to work with GWR to make the necessary changes to the U.S. DOT Inventory Form for the interim roadway conditions and provide that updated form to

the Commission by December 31, 2025, and will be required to work with the GWR to make the necessary changes to the U.S. DOT Inventory Form for the final roadway conditions. We will initially expect this updated form by December 31, 2031.

9. We find that good cause exists and that the requirements of public safety are met by granting the Amended Application, consistent with the above discussion.

II. ORDER

A. The Commission Orders That:

1. The unopposed Motion for Amendment of Application and Waiver of Response Time (“Motion”) and amended application filed by the Town of Timnath (“Timnath”) on April 21, 2025 requesting to change the striping for the proposed crossing to have an interim condition at the crossing of the Great Western Railroad (“GWR”) with a single lane on each side, a painted median, and a bike lane on both sides of the crossing anticipated to last at least five years out with the striping changed to that approved by the Commission by Decision No. C23-0819 once traffic volumes warrant the need to provide two travel lanes in each direction is granted.

2. Timnath is required to work with GWR to make the necessary changes to the U.S. DOT Inventory Form for the interim roadway conditions and provide that updated form to the Commission by December 31, 2025.

3. Timnath is required to work with the GWR to make the necessary changes to the U.S. DOT Inventory Form for the final roadway conditions. We will initially expect this updated form by December 31, 2031.

4. All remaining compliance requirements are still required.

5. 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.

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

7. This Decision is effective upon its Issued Date.

**B. ADOPTED IN COMMISSIONERS' WEEKLY MEETING
May 7, 2025.**

(S E A L)



ATTEST: A TRUE COPY

Rebecca E. White,
Director

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

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TOM PLANT

Commissioners