

Decision No. C25-0421

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

PROCEEDING NO. 25A-0128R

IN THE MATTER OF THE APPLICATION OF THE TOWN OF WINDSOR FOR AUTHORITY TO INSTALL CONCRETE SIDEWALK APPROACHES TO EXISTING AND EXTENDED RAILROAD CROSSING SURFACE MATERIAL FOR SIDEWALK CONNECTIONS, AND INSTALLATION OF ADDITIONAL ADVANCE WARNING SIGNS ON EACH APPROACH TO TRACKS OWNED BY GREAT WESTERN RAILWAY OF COLORADO, LLC CROSSING, STATE HIGHWAY 392 (MAIN STREET), USDOT NO. 244895W, IN WELD COUNTY, STATE OF COLORADO.

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

Issued Date: June 4, 2025
Adopted Date: May 21, 2025

I. BY THE COMMISSION

A. Statement

1. This matter comes before the Commission for consideration of an Application (“Application”) filed by the Town of Windsor (“Windsor”) on March 25, 2025, for an order authorizing the installation of concrete sidewalk approaches to existing and extended railroad crossing surface panels to connect the detached walk to the west to a new attached walk to the east, along the southside of State Highway 392 (“SH 392”) (also known as Main Street), improve the existing sidewalk crossing along the northside of SH 392, and install additional advance warning signs on each approach as identified by the Federal Railroad Administration (“FRA”) as necessary to maintain Quiet Zone status, at the crossing of SH 392 across the tracks owned by Great Western

Railway of Colorado, LLC (“GWR”), at railroad milepost 86.77 of the Greeley subdivision, National Inventory No. 244895W, in the Town of Windsor, Weld County, State of Colorado.

2. Notice of the Application was provided by the Commission to all interested parties, including adjacent property owners pursuant to § 40-6-108(2), C.R.S., on April 7, 2025.

3. No interventions were filed in this matter.

4. The Commission reviewed the record in this matter and deems the Application complete within the meaning of § 40-6-109.5, C.R.S.

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

B. Findings of Fact

6. The Commission gave notice to all interested parties, including the adjacent property owners. No intervention was received contesting or opposing the Application.

7. Windsor requests authority for the installation of concrete sidewalk approaches to existing and extended railroad crossing surface panels to connect the detached walk to the west to a new attached walk to the east, along the southside of SH 392, and to improve the existing sidewalk crossing along the northside of SH 392, and to install additional advance warning signs on each approach to the crossing of SH 392 across the tracks owned by GWR in Windsor, Colorado. The changes are necessary to maintain Quiet Zone status as identified in an inspection by the FRA and to provide adequate sidewalks at the crossing for pedestrians on the north and southside of SH 392.

8. The Town proposes to extend the west detached concrete sidewalk on the southside of SH 392 to existing and new crossing surface panels at the crossing. New attached concrete sidewalk is proposed to be installed on the southside of SH 392 to the east of the crossing and extended to the next intersection. The sidewalk is proposed to be 6 inches thick and measure from

5.05 feet wide at the existing sidewalk on the westside of the crossing widening to a maximum width of 10 feet and narrowing to 5 feet on the eastside of the crossing.

9. The existing sidewalk on the north side of SH 392 is proposed to be realigned to provide a more perpendicular crossing for user safety. The realigned sidewalk is proposed to be 6 inches thick and measure from 9.59 feet wide at the existing sidewalk on the westside of the crossing widening to a maximum width of 10 feet and narrowing to 3.95 feet at the existing sidewalk on the eastside of the crossing.

10. W10-12 Skewed Crossing signs with additional W10-9P No Train Horn plaques will be added on each approach to the crossing. No modifications are proposed to the existing railroad active warning equipment at the roadway crossing.

11. Windsor states that most recent traffic volume at the subject crossing as of 2023 is 17,200 vehicles per day (“VPD”). 25 percent of this traffic volume is estimated to be heavy vehicles. 51 school buses use the crossing on average per day. The posted speed limit at the crossing is 30 miles per hour (“MPH”). The five-year traffic volume projections at the crossing are 19,800 VPD and 20-year traffic volume projections are 31,000 VPD. There are currently two trains per day as of 2019 that use the crossing at a maximum timetable speed of 10 MPH with no anticipated changes in train volume in the future.

12. There has been one property-damage only accident at the crossing since 1975 in 1988.

13. Windsor estimates the cost of the project at \$297,670. Windsor will cover 100 per cent of the costs of the project.

14. Windsor proposes to start the project on June 1, 2025, and anticipates being complete with the work by June 30, 2026. Windsor will be required to provide a copy of the signed

Construction and Maintenance Agreement with GWR for this project by June 20, 2025, prior to starting construction on this project.

15. Windsor will be required to inform the Commission in writing that all work is complete within ten days of completion. The Commission will expect this letter no later than June 30, 2026. However, the Commission understands this letter may be provided earlier or later than this date depending on changes or delays to the construction schedule.

16. GWR will be required to update the US DOT Crossing Inventory Form for the crossing. This form will need to be filed in this proceeding by GWR by June 30, 2026.

C. Conclusions

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

18. 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* (“CCR”) 723-1.

19. Based on the Findings of Fact, the Application is granted consistent with the discussion above.

II. ORDER

A. The Commission Orders That:

1. The Application filed by the Town of Windsor (“Windsor”) on March 25, 2025, for an order authorizing the installation of concrete sidewalk approaches to existing and extended railroad crossing surface panels to connect the detached walk to the west to a new attached walk to the east, along the southside of State Highway 392 (“SH 392”) (also known as Main Street), improve the existing sidewalk crossing along the northside of SH 392, and install additional

advance warning signs on each approach as identified by the Federal Railroad Administration as necessary to maintain Quiet Zone status, at the crossing of SH 392 across the tracks owned by Great Western Railway of Colorado, LLC (“GWR”), at railroad milepost 86.77 of the Greeley subdivision, National Inventory No. 244895W, in the Town of Windsor, Weld County, State of Colorado is deemed complete within the meaning of § 40-6-109.5, C.R.S., and is granted.

2. Windsor is authorized and ordered to proceed with the installation of concrete sidewalk along the southside of SH 392, improve the existing sidewalk crossing along the northside of SH 392, and install additional advance warning signs on each approach to the crossing.

3. Windsor shall file a copy of the signed Construction and Maintenance Agreement with GWR for this project by June 20, 2025, prior to starting work at the crossing.

4. Windsor is required to inform the Commission in writing that the work is complete within ten days after completion. We shall expect this letter by June 30, 2026. However, we understand this letter may be provided earlier or later than this date depending on changes or delays to the construction schedule.

5. GWR will be required to update the US DOT Crossing Inventory Form for the crossing. This form will need to be filed in this proceeding by GWR by June 30, 2026.

6. 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.

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

8. This Decision is effective upon its Issued Date.

**B. ADOPTED IN COMMISSIONERS' WEEKLY MEETING
May 21, 2025.**

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ATTEST: A TRUE COPY

Rebecca E. White,
Director

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

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Commissioners