

Decision No. C25-0543

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

PROCEEDING NO. 23I-0047R

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IN THE MATTER OF THE REGIONAL TRANSPORTATION DISTRICT'S CORRECTIVE ACTION PLAN REGARDING THE 19TH STREET AND STOUT STREET CONDEMNED RAIL, RULE 4 CCR 723-7-7347.

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**COMMISSION DECISION  
APPROVING CAP FILINGS, CLOSING CAP AND  
CLOSING INVESTIGATORY PROCEEDING**

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Issued Date: July 25, 2025

Adopted Date: July 16, 2025

**I. BY THE COMMISSION**

**A. Statement**

1. On November 15, 2022, the Regional Transportation District's ("RTD") Maintenance-of-way ("MOW") found a hazardous condition of the rail at 19th Street and Stout Street that revealed rail conditions that were below industry acceptable conditions for normal rail activities. A previous inspection of the 19th/Stout embedded curve/crossing showed a negative superelevation and gauge widening conditions prompting the additional hazard investigation. MOW crews called for an immediate 3 mile per hour speed restriction on approach to the curve, through the curve, and out of the curve for the entire train consist. The rail was declared as condemned rail.

2. Under 4 *Code of Colorado Regulation* 723-7-7347(d)(IV) of the Commission's Rules Regulating Railroads, Rail Fixed Guideways, Transportation by Rail and Rail Crossings, RTD determined that the condemned rail warranted an emergency corrective action to immediately

replace the rail to ensure safety and submitted Corrective Action Plan (“CAP”) 01-11222022 for the emergency corrective action to continue rail operations under the speed restrictions and with flaggers walking the LRV train through the intersection/crossing, and to replace the condemned rail starting December 23, 2022.

3. On March 6, 2023, RTD filed CAP02-11222022 as requested by the Commission.

4. On March 13, 2023, Staff of the Commission sent correspondence to RTD requesting that RTD make a correction to the CAP to provide a complete implementation schedule and requested RTD to include the hazard investigation as part of the filing to provide context to the CAP.

5. On March 14, 2023, RTD filed the corrected CAP and the hazard investigation.

6. The Commission approved CAP02-11222022 by Decision No. C23-0213 issued April 4, 2023.

7. On June 22, 2023, RTD filed an Unopposed Motion for Extension of Time to Complete Interim Corrective Action Plan Measures (“Motion”) requesting an additional 120 days to gather and analyze data and prioritize the rail replacement for the downtown loop.

8. The Commission approved the Motion by Decision No. C23-0444 issued July 7, 2023.

9. On October 30, 2023, RTD filed a Notice of Corrective Actions Completed and included information and exhibits showing that the four interim measures had been completed as approved.

10. On February 10, 2025, RTD filed a Notice of Corrective Actions Completed and included information and exhibits showing that two of the four final measures of the CAP had

been completed and file some information regarding the third and fourth final measures of the CAP.

11. On March 25, the Commission closed part of CAP02-11222022 and required RTD to file additional information on the remainder of CAP02-11222022.

12. Now being advised, we will close the remainder of CAP02-11222022 and close this investigatory proceeding.

**B. Analysis**

13. RTD proposed four interim measures and four final measures as part of CAP02-11222022.

14. The first interim measure required RTD is to use the Operational Risk Management assessments as part of the asset information data to make prioritizations for asset renewals.

15. RTD provided Attachment 3 to its October 30, 2023 showing the results of the Operational Risk Management assessment of the rail in the downtown loop as a category 2A, which is unacceptable in the risk assessment matrix.

16. The second interim measure involved evaluating the downtown rail replacement project, including revised conditional assessments of the remaining sections to update the prioritization of replacements scheduled.

17. RTD provided Attachments 4, 5, and 6 to its October 30, 2023 filing. Attachment 4 shows the geographic extents of the RTD Central corridor from the I-25/Broadway station to the 30th/Downing Street station, the oldest track in the RTD Light Rail System that was assessed as part of this CAP. Attachment 5 outlines the areas included in the four phases planned for rail replacement. Attachment 6 shows the cross sections of the single and double track sections that were being replaced. RTD has been providing weekly information on its progress in the Central

Corridor replacements and other system areas where rail replacement and rail grinding has occurred throughout the entire RTD Light Rail System.

18. The third interim measure was to evaluate industry track standards, including Federal Railroad Administration standards to determine whether a more robust classification method exists to document wear.

19. RTD provided Attachment 1 to its October 30, 2023 filing, which is a memorandum on industry track standard comparisons and RTD's determination to adopt the APTA-RT-FS-S-002-02 Transit Track Inspection and Maintenance Standard Revision 1, which is an industry standard and will be used to inspect and document wear.

20. The fourth interim measure was to conduct asset management bypass process training at the asset steward level, including assistant general managers, superintendents, senior managers, and managers.

21. RTD provided Attachment 2 to its October 30, 2023 filing, showing the slides used to conduct the bypass exception process training that was conducted.

22. The first final measure was to develop an Asset Class Strategy for light rail infrastructure including all asset types and sub types.

23. RTD provided Attachment 1 to its February 10, 2025 filing, showing the process for how RTD developed and how RTD is implementing asset class strategy

24. The second final measure was to enhance the tracking and evaluation criteria for areas in the light rail infrastructure that have known accelerated wear, deterioration, or corrosion.

25. RTD used its enhanced tracking and evaluation criteria and used the new condition inspection methodology to inspect the entirety of the light rail system. As a result, RTD instituted a number of speed restrictions along the system for areas identified where conditions were rated

using the new one to five condition rating scale and identified as needing repair or replacement. RTD created a web page where customers can see where the light rail speed restrictions are currently located and provide information when the speed restrictions are lifted.

26. The third final measure was to evaluate the cross-department coordination procedures for rail infrastructure replacement to ensure alignment and accountability with the approved Transit Asset Management Plan and the Public Transportation Safety Plan.

27. RTD responded that the Light Rail MOW, Capital Programs, and Asset Management divisions worked closely in the development of an improved rail infrastructure segment inventory using an enhanced condition assessment methodology. Starting in August 2024, the division representatives meet quarterly to review light rail infrastructure condition assessment information. RTD provided Attachment 1, the MOW Internal Work Instruction and Attachment 2, the MOW Infrastructure Renewal Memo that discuss the assessment methodology and initial condition assessment of the rail.

28. The fourth final measure was to integrate operational risk management and safety assurance into the decision-making process for asset renewals.

29. RTD responded that it implemented the enhanced rail infrastructure age and condition assessment methodology based on the TERM scale, which allows for prioritization and timing based on the Operational Risk Management framework identifying risks through inspection of physical conditions and consideration of age and expected useful life. RTD provided Attachment 3 – Age-Minus Spreadsheet showing the results of the condition assessment scoring for the existing rail and crossings performed in 2024. RTD also provided Attachment 4 – Asset Management Process Fact Sheet SW Curves as an example of the fact sheets that are put together

during the asset management planning process grouped by alignment, type and age and include the risk assessments using the Operational Risk Management framework.

**C. Conclusion**

30. We have reviewed the information for the CAP02-11222022 filed by RTD on October 30, 2023, February 10, 2025 and April 24, 2025.

31. The October 30, 2023 RTD filing shows that all interim corrective actions were completed as ordered.

32. The February 10, 2025 RTD filing shows that final corrective actions one and two were completed as ordered.

33. The April 24, 2025 RTD filing shows that final corrective actions three and four are now complete.

34. RTD has now filed documentation to show that all aspects of CAP02-11222022 have been completed. With this information, we will close CAP02-11222022 and will close this investigatory proceeding.

**II. ORDER**

**A. The Commission Orders That:**

1. The final Corrective Action Plan (“CAP”) 02-11222022 filed by the Regional Transportation District’s (“RTD”) items three and four are closed.

2. Proceeding No. 23I-0047R is closed.

3. This Decision is effective upon its Issued Date.

**B. ADOPTED IN COMMISSIONERS' WEEKLY MEETING**

**July 16, 2025.**

(S E A L)



ATTEST: A TRUE COPY

A handwritten signature in cursive script that reads "Rebecca E. White".

Rebecca E. White,  
Director

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

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Commissioners