

Decision No. C25-0551

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

PROCEEDING NO. 25A-0241R

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IN THE MATTER OF THE APPLICATION OF WELD COUNTY FOR AUTHORITY TO INSTALL ADVANCE WARNING SIGNS AND STRIPING AT TRACKS OWNED BY BNSF RAILWAY COMPANY CROSSING COUNTY ROAD 63, USDOT NO. 057218E, IN WELD COUNTY, STATE OF COLORADO.

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

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Issued Date: July 25 2025  
Adopted Date: July 16, 2025

**I. BY THE COMMISSION**

**A. Statement**

1. This matter comes before the Commission for consideration of an Application (“Application”) filed by Weld County on May 23, 2025, for an order authorizing the installation of an advance warning sign northbound along County Road (“CR”) 63 and pavement striping as directed by the Federal Railroad Administration (“FRA”), on approach to tracks owned by BNSF Railway Company (“BNSF”) at railroad milepost 502.47 of the Powder River Division, Brush subdivision, National Inventory No. 057218E, in 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 June 5, 2025.

3. On June 9, 2025, BNSF intervened in this proceeding as matter of right. BNSF did not oppose or contest the application.

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. Weld County requests authority for the installation of an advance warning sign northbound along CR 63 and pavement striping as directed by the FRA, on approach to the tracks owned by BNSF in Weld County, Colorado. Existing passive signage consists of STOP signs and Crossbucks on the northbound and southbound approaches to the at-grade crossing. The existing tracks are significantly elevated relative to the northbound approach. The project includes installation of STOP bars 15 feet in advance of the rails and 50 linear feet of double yellow centerline pavement striping on CR 63 on each approach. A W10-5 advance warning Low Ground Clearance sign will be installed 125 feet from the rail on the northbound approach.

8. Weld County states that most recent traffic volume at the subject crossing as of 2025 is 91 vehicles per day (“VPD”). 61 percent of this traffic volume is estimated to be heavy vehicles. School buses use the crossing. The unposted speed limit at the crossing is 55 miles per hour (“MPH”). The five-year traffic volume projections at the crossing are 116 VPD and 20-year traffic volume projections are 241 VPD. There are currently 36 trains per day as of 2023 that use the crossing at a maximum timetable speed of 79 MPH with no anticipated changes in train volume in the future.

9. There have been three property-damage only accidents at the crossing since 1975 in 1984, 2018 and 2024.

10. Weld County estimates the cost of the project at \$6,650. Weld County will cover 100 percent of the costs of the project.

11. Weld County proposes to start the project on August 1, 2025, and anticipates being complete with the work by September 30, 2025. Weld County will be required to provide a copy of the signed Construction and Maintenance Agreement with BNSF for this project by August 1, 2025, prior to starting construction on this project.

12. Weld County 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 September 30, 2025. However, the Commission understands this letter may be provided earlier or later than this date depending on changes or delays to the construction schedule.

13. BNSF 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 BNSF by September 30, 2025.

**C. Conclusions**

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

15. 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.

16. 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 (“Application”) filed by Weld County on May 23, 2025, for an order authorizing the installation of an advance warning sign northbound along County Road (“CR”) 63 and pavement striping as directed by the Federal Railroad Administration (“FRA”), on approach to tracks owned by BNSF Railway Company (“BNSF”) at railroad milepost 502.47 of the Powder River Division, Brush subdivision, National Inventory No. 057218E, in Weld County, State of Colorado is deemed complete within the meaning of § 40-6-109.5, C.R.S., and is granted.

2. Weld County is authorized and ordered to proceed with the installation of an advance warning sign northbound along CR 63 and pavement striping at the crossing.

3. Weld County shall file a copy of the signed Construction and Maintenance Agreement with BNSF for this project by August 1, 2025, prior to starting work at the crossing.

4. Weld County is required to inform the Commission in writing that the work is complete within ten days after completion. We shall expect this letter by September 30, 2025. However, we understand this letter may be provided earlier or later than this date depending on changes or delays to the construction schedule.

5. BNSF 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 BNSF by September 30, 2025.

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  
July 16, 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