

Decision No. R25-0394-I

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

PROCEEDING NO. 25R-0152R

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IN THE MATTER OF THE PROPOSED AMENDMENTS TO THE RULES REGULATING RAILROADS, RAIL FIXED GUIDEWAYS, TRANSPORTATION BY RAIL, AND RAIL CROSSINGS, 4 CODE OF COLORADO REGULATIONS 723-7 TO IMPLEMENT HOUSE BILL 24-1030.

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**INTERIM DECISION CONTINUING  
PUBLIC COMMENT HEARING**

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Issued Date: May 29, 2025

**I. STATEMENT**

**A. Background**

1. On April 4, 2025, the Colorado Public Utilities Commission (“Commission”) issued Decision No. C25-0250, a Notice of Proposed Rulemaking (“NOPR”), primarily to implement House Bill (“HB”) 24-1030. The NOPR proposed new railroad safety training and incident response requirements as part of the Commission’s Rules Regulating Railroads, Rail Fixed Guideways, Transportation by Rail, and Rail Crossings, 4 *Code of Colorado Regulations* (“CCR”) 723-7. The NOPR was issued pursuant to the Commission’s statutory authority under §§ 40-2-108, 40-20-302, 40-20-305, 40-20-310, and 40-29-110, C.R.S. Among other updates and revisions, the proposed rules implement requirements authorized by HB 24-1030, effective July 1, 2024, and codified at §§ 40-20-305 and 40-20-310, C.R.S. The NOPR also referred this matter to an Administrative Law Judge (“ALJ”), scheduled a public

comment hearing for May 19, 2025, and set deadlines for the submission of initial written public comments and responsive written public comments.

2. The proposed rule changes were set forth in legislative format (*i.e.*, strikeout/redline) in Attachment A to Decision No. C25-0250, and in final format in Attachment B. Updated versions of Attachments A and B, which incorporate additional suggested changes beyond those in the attachments to Decision No. C25-0250, are attached to this Decision.

**B. Background for and Discussion of the Proposed Amendments**

3. For a comprehensive discussion of the background and the proposed rules, the undersigned ALJ directs interested persons to Decision No. C25-0250, issued April 4, 2025.

**C. Continued Remote Public Comment Hearing**

4. On May 19, 2025, the undersigned ALJ convened the public comment hearing in this matter, as scheduled by the NOPR. At the outset of the public comment hearing, the ALJ noted that he had been informally advised that some interested persons may not have received notice of this rulemaking Proceeding. In light of this concern, the ALJ determined that it was appropriate to continue the public comment hearing, announced new requested deadlines for the submission of initial and responsive written comments, and provided attendees with the opportunity to submit oral comments at that time. This Decision memorializes the continuation of the public comment hearing and sets forth the revised deadlines for initial written public comments and responsive written public comments.

5. Therefore, the public comment hearing in this Proceeding will be continued until June 30, 2025, at 11:00 a.m., as ordered below. The undersigned ALJ requests initial written public comments on the proposed rule changes to be submitted by June 5, 2025. Any person wishing to

file written public comments responding to the initial comments is requested to file such comments by June 23, 2025.

**D. Conclusion**

6. Through this Decision, the undersigned ALJ reiterates the Commission's request for comments from interested persons on the new rules proposed in this Decision and its attachments. Interested persons may file written comments including data, views, and arguments into this Proceeding for consideration.

7. The Commission also welcomes the submission of alternative proposed rules, including both consensus proposals joined by multiple rulemaking participants and individual proposals.

8. Participants are encouraged to provide redlines of any specific proposed rule changes.

9. The proposed rules in legislative (*i.e.*, strikeout/redline) format (Attachment A) and final format (Attachment B) are available through the Commission's E-Filings System at:

[https://www.dora.state.co.us/pls/efi/EFI.Show\\_Docket?p\\_session\\_id=&p\\_docket\\_id=25R-0152R](https://www.dora.state.co.us/pls/efi/EFI.Show_Docket?p_session_id=&p_docket_id=25R-0152R)

10. A public comment hearing in this matter will be held as ordered below. In addition to submitting written comments, interested persons will have an opportunity to present comments orally at the hearing, unless the ALJ deems oral presentations unnecessary.

11. The Commission will consider all comments submitted in this Proceeding, whether oral or written.

12. Initial written public comments on the proposed rule changes shall be submitted by June 5, 2025. Any person wishing to file comments responding to the initial written public comments is requested to file such comments by June 23, 2025.

## **II. ORDER**

### **A. It Is Ordered That:**

1. A remote public hearing on the proposed rules and related matters shall be held as follows:

DATE: June 30, 2025

TIME: 11:00 a.m.

PLACE: By video conference using Zoom at a link provided in the calendar of events posted on the Commission's website:  
<https://puc.colorado.gov/>

2. At the time set for hearing in this matter, interested persons may submit written comments and may present these orally unless the Administrative Law Judge deems oral comments unnecessary.

3. The undersigned ALJ requests that initial pre-filed comments be submitted no later than June 5, 2025, and any pre-filed comments responsive to the initial comments be submitted no later than June 23, 2025. The Commission will consider all submissions, whether oral or written.

4. Any interested person may file comments in this Proceeding using the Commission's E-Filings System at: <https://www.dora.state.co.us/pls/efi/EFI.homepage>.

5. This Decision is effective immediately.

(S E A L)



THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

AVIV SEGEV

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Administrative Law Judge

ATTEST: A TRUE COPY

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

Rebecca E. White,  
Director