

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

PROCEEDING NO. 10A-842R

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IN THE MATTER OF THE COLORADO DEPARTMENT OF TRANSPORTATION, AND THE CITY OF COMMERCE CITY FOR AUTHORITY TO WIDEN THE ROADWAY AND CROSSING, INSTALL PEDESTRIAN SIDEWALKS, REMOVE EXISTING FLASHERS AND GATES AND INSTALL NEW APPROACH GATES, RAISED MEDIANS AND FLASHERS, RELOCATE ONE EXISTING RAILROAD CONTROL POINT TO THE NORTH SIDE AND, RELOCATE TWO SWITCHES TO MOVE THE HAZELTINE SIDING TO THE NORTH AT THE CROSSING OF THE UNION PACIFIC RAILROAD TRACK ON STATE HIGHWAY 44 (104TH AVE.) IN CITY OF COMMERCE CITY, ADAMS COUNTY, COLORADO.

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**INTERIM DECISION REQUIRING STATUS REPORT**

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Issued Date: June 3, 2025

**I. STATEMENT**

1. On May 12, 2025, the Parties filed a Joint Status Report and Amended Motion for Extension of Time. The City of Commerce City (“City”), Union Pacific Railroad Company (“UPRR”) and the Colorado Department of Transportation (“CDOT”) (collectively, the “Parties”) presented an agreed upon timeline for completion of the queue cutter signal improvements and a project schedule graphic. The report addressed Tasks No. 3, 7, and 10 identified in the Queue Cutter Timeline.

2. The Parties will be Ordered to file an additional status report regarding Task Nos. 3, 7, and 10 identified in the Joint Status Report and Amended Motion for Extension of Time. The report must include, without limitation:

- a. a description of the modifications to the plans and specifications approved by the Commission in Decision No. C23-0817 as well as why such changes were not and could not have been included in the plans and specifications previously agreed to by the Parties and approved by the Commission;
- b. a copy of the modified plans and specifications agreed to by the Parties; and

- c. a copy of the cost estimate produced based on the final design.
3. For Task No. 10, describe any portion of improvements already constructed and whether a Special Use Permit has been approved.
4. For the 104th Avenue Queue Cutter Timeline Tasks, explain why construction was anticipated to be able to begin within four months based upon previously agreed plans dated August, 2023; yet the timeline tasks now state construction cannot begin until January 2026 based upon plans scheduled to be agreed upon in June (giving the benefit of Union Pacific's interpretation of the a project schedule graphic).

## II. ORDER

1. It is Ordered That: The City of Commerce City, Union Pacific Railroad Company and the Colorado Department of Transportation shall file a status report consistent with the discussion above, on June 30, 2025.
2. This Decision is effective immediately.

(S E A L)



THE PUBLIC UTILITIES  
COMMISSION  
OF THE STATE OF COLORADO

G. HARRIS ADAMS

Administrative Law Judge

ATTEST: A TRUE COPY

Rebecca E. White,  
Director