

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

PROCEEDING NO. 25A-0076R

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IN THE MATTER OF THE APPLICATION OF THE REGIONAL TRANSPORTATION DISTRICT FOR AUTHORITY TO ALTER AN EXISTING AT-GRADE CROSSING AT COLORADO BOULEVARD IN THE CITY OF COMMERCE CITY, COUNTY OF ADAMS, STATE OF COLORADO.

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

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Issued Date: April 11, 2025  
Adopted Date: April 9, 2025

**I. BY THE COMMISSION**

**A. Statement**

1. This matter comes before the Commission for consideration of an Application (“Application”) filed by the Regional Transportation District (“RTD”) on February 14, 2025, requesting authority to alter the existing at-grade crossing at Colorado Blvd, National Inventory No. 804296Y, on RTD’s Boulder Industrial Lead, milepost 0.800, in Commerce City, Adams 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 February 27, 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 opposing the Application or the Amended Application.

7. RTD requests authority to alter the existing at-grade crossing at Colorado Blvd, in Commerce City, Colorado. The subject crossing is currently out of service. The alteration will involve temporarily removing the tracks and rail ties and paving over the existing surface, with service to be restored and the crossing surface (including safety warnings and tracks) to be reconstructed at a later date. The existing passive signage will be modified to indicate that the crossing is exempt.

8. RTD states that most recent traffic volume at the subject crossing as of 2022 is 4,698 vehicles per day (“VPD”). The unposted speed limit at the crossing is 35 miles per hour (“MPH”).

9. There has been one accident at the crossing since 1975.

10. RTD estimates the cost of the work to be \$128,794.07. RTD will bear all costs associated with the changes at the crossing.

11. RTD proposes to start the project between June and August of 2025 and anticipates being complete with the work by September 30, 2025. RTD 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.

12. RTD 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 RTD by September 30, 2025.

13. With the removal of the tracks through the subject crossing, any potential highway-rail grade crossing safety issues at the crossing will be eliminated thereby preventing accidents and promoting public safety. Because the roadway will remain, no motor vehicle drivers will be inconvenienced by closure of the roadway.

### **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 the Regional Transportation District (“RTD”) on February 14, 2025, requesting authority to alter the existing at-grade crossing at Colorado Blvd, National Inventory No. 804296Y, on RTD’s Boulder Industrial Lead, milepost 0.800, in Commerce City, Adams County, State of Colorado is deemed complete within the meaning of § 40-6-109.5, C.R.S., and is granted.

2. RTD is authorized and ordered to proceed with the alterations at the crossing, National Inventory No. 804296Y.

3. RTD 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.

4. The National Inventory Form for the subject crossing needs to be updated to show the changes at the crossing and RTD is required to file the updated National Inventory Form in this proceeding by September 30, 2025.

5. The 20-day period provided for in § 40-6-114, C.R.S., within which to file applications for rehearing, reargument, or reconsideration, begins on the first day following the effective date of this Decision.

6. The Commission retains jurisdiction to enter further Decisions as necessary.

**B. ADOPTED IN COMMISSIONERS' WEEKLY MEETING  
April 9, 2025.**

(S E A L)



ATTEST: A TRUE COPY

Rebecca E. White,  
Director

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

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Commissioners