

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

PROCEEDING NO. 25A-0074R

IN THE MATTER OF THE APPLICATION OF THE COLORADO DEPARTMENT OF TRANSPORTATION FOR AUTHORITY TO OBTAIN PUC AUTHORIZATION TO RECONSTRUCT BOTH I-25 OVERPASS BRIDGE STRUCTURES D-17-EY & D-17-EX OVER GREAT WESTERN RAILWAY OF COLORADO, LLC (GWRCO) MP 9.68 (U.S. DOT# 849335N) AND MINOR EARTHWORK IN GWRCO RIGHT OF WAY IN WELD COUNTY, STATE OF COLORADO.

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

Issued Date: April 10, 2025
Adopted Date: April 2, 2025

I. BY THE COMMISSION

A. Statement

1. This matter comes before the Commission for consideration of an Application (“Application”) filed by Colorado Department of Transportation (“CDOT”) on February 13, 2025, for an order authorizing the reconstruction of both overpass structures on Interstate Highway No. 25 (“Interstate-25”) over the tracks of the Great Western Railway of Colorado LLC (“GWR”), and minor earthwork in GWR Right of Way, at railroad milepost 9.68, National Inventory No. 849335N, 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 February 20, 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 contesting or opposing the Application.

7. CDOT requests authority for the reconstruction of two overpass structures on Interstate-25 over GWR track, and minor earthwork in GWR Right-of-Way near the bridge structures. The existing Interstate-25 bridges over GWR will be reconstructed to accommodate an additional toll express lane in the northbound and southbound direction and improve roadway geometry.

8. The proposed overpass structures are designed to clear span the entire railroad corridor. The SB bridge D-17-EY is proposed to be 98'-1 1/4" in length from back face of abutment to back face of abutment. The minimum clearance under the bridge structure is proposed at 23'-3" from the top of rail of the existing GWR track to the bottom of the girder. The bridge will span the existing GWR track. There is proposed to be 44'-2" horizontal clearance from the centerline of the existing GWR track to the proposed south abutment face and 47' 8 3/4" to the north abutment face of the SB bridge. The bridge is proposed to be 65'-0" out to out and consist of a 1'-6" Type 9 bridge rail with special 84" chain link fence and 84" splash guard, two general purpose 12'-0" lanes and one 12'-0" express lane, a 12'-0" shoulder, a 10'-0" second shoulder, a 4'-0" buffer between the express lane and two general purpose lanes, and a second 1'-6" Type 9 bridge rail with special 84" chain link fence and 84" splash guard.

9. The NB bridge D-17-EX is proposed to be 98'-1 1/4" in length from back face of abutment to back face of abutment. The minimum clearance under the bridge structure is proposed at 23'-8" from the top of rail of the existing GWR track to the bottom of the girder. The bridge will span the existing GWR track. There is proposed to be 44'-2" horizontal clearance from the centerline of the existing GWR track to the proposed south abutment face and 47' 8 3/4" to the north abutment face of the NB bridge. The bridge is proposed to be 65'-0" out to out and consist of a 1'-6" Type 9 bridge rail with special 84" chain link fence and 84" splash guard, two general purpose 12'-0" lanes and one 12'-0" express lane, a 12'-0" shoulder, a 10'-0" second shoulder, a 4'-0" buffer between the express lane and two general purpose lanes, and a second 1'-6" Type 9 bridge rail with special 84" chain link fence and 84" splash guard.

10. The proposed minimum clearances for both bridge structures meet or exceed the minimum requirements found in Rules 7324 and 7325 of the Commission Rules Regulating Railroads, Rail Fixed Guideways, Transportation by Rail, and Rail Crossings, 4 *Code of Colorado Regulations* ("CCR") 723-7.

11. CDOT estimates the cost of the project at \$4,817,700.00. CDOT will cover the cost of this work as part of the CDOT North I-25 Express Lanes Segment 5 Project CP2, Project No. NHPP 0253-301, Subaccount No. 25987.

12. CDOT proposes to start the reconstruction of both overpass structures on April 15, 2025, and anticipates being complete with the work by December 31, 2026. CDOT 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 December 31, 2026. 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. CDOT 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 CDOT by December 31, 2026.

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 CCR 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 Colorado Department of Transportation (“CDOT”) on February 13, 2025, for an order authorizing the reconstruction of both overpass structures on Interstate Highway No. 25 (“Interstate-25”) over the tracks of the Great Western Railway of Colorado LLC (“GWR”), and minor earthwork in GWR Right of Way, at railroad milepost 9.68, National Inventory No. 849335N, in Weld County, State of Colorado is deemed complete within the meaning of § 40-6-109.5, C.R.S., and is granted.

2. CDOT is authorized and ordered to proceed with the reconstruction of both overpass structures.

3. CDOT is required to inform the Commission in writing that the work is complete within ten days after completion. We shall expect this letter by December 31, 2026. However, we

understand this letter may be provided earlier or later than this date depending on changes or delays to the construction schedule.

4. CDOT 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 CDOT by December 31, 2026.

5. 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.

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

7. This Decision is effective upon its Issued Date.

**B. ADOPTED IN COMMISSIONERS' WEEKLY MEETING
April 2, 2025.**

(S E A L)



ATTEST: A TRUE COPY

Rebecca E. White

Rebecca E. White,
Director

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

ERIC BLANK

MEGAN M. GILMAN

TOM PLANT

Commissioners