



COLORADO

**Department of
Regulatory Agencies**

Public Utilities Commission

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January 25, 2017

Re: Request for Issuance of Regulatory Analysis of Proposed Rules
Proceeding No. 16R-0952R

In response to the Request for Issuance of Regulatory Analysis of Proposed Rules filed in this matter on January 13, 2017 by commenters BNSF Railway Company, Great Western Railway of Colorado, LLC, and Union Pacific Railroad Company, please find the attached regulatory analysis for the requested rules.

Colorado PUC E-Filings System



Rule	Brief Description	Classes of persons affected	Quantative and Qualitative Impact
7000	General Provisions - Scope and Applicability - adds rail fixed guideway systems to the applicability, adds public pathways to the scope and applicability, and refines applicable rules relating to these changes.	All railroads, railroad corporations, rail fixed guideways, transit agencies, and road authorities.	Removes ambiguity related to statutory requirements by clarifying that Commission rules apply specifically to the mode of transportation (rail fixed guideway) and not the type of agency (e.g. statutory transportation districts.) The rule change also reflects changes resulting for the Federal Moving Ahead for Progress in the 21st Century (MAP-21) that have been made to the statutes in previous years.
7001	Definitions - adding a definition for "road authority" reduce the continued repetition throughout the rules of using municipality, county, state agency, federal agency, or other governmental or quasi-governmental entity that owns , operates, and maintains public roadways and pathways.	Municipalities, counties, state agencies, federal agencies, other governmental entities, other quasi-governmental entities that own, operate and maintain public roadways and pathways, and all railroads, railroad corporations, rail fixed guideways and transit agencies that interact with these entities.	Shortens terms used throughout the rules.

Rule	Probable costs for agencies to implement and enforce	Anticipated effect on state revenues	Probable costs and benefits of the proposed rule	Probable costs and benefits of inaction
7000	Costs to rail fixed guideway systems will change as they will no longer be required to directly pay for the cost of the PUC State Safety Oversight Program. Rail fixed guideway systems will have to contribute to the Fixed Utility Fund for the PUC Grade Crossing Safety Program. It is unknown at this time what that assessment, coming from the Department of Revenue, will be.	None.	Potential Benefit: costs paid by rail fixed guideway systems will change, but the amount of the change can not currently be quantified. The dollar amounts paid into the Fixed Utility Fund will likely be less than the total assessments that were being made to rail fixed guideway systems previously.	Costs: PUC would not have sufficient resources to handle grade crossing safety matters with rail fixed guideway systems, which could create public safety issues.
7001	No additional costs.	None.	Benefits: reduces word count and provides consistency in rules.	None.

Rule	Are there less costly or intrusive methods	Alternative methods for achieving the purpose of the proposed rule that were seriously considered	Reasons why they were rejected in favor of the proposed rule
7000	No. The changes clarify current statute and reflect changes required by Federal MAP-21 legislation.	The proposed rule change was made in order to meet statutory and Federal Rule requirements; as such, no alternative methods for achieving the purpose of the proposed rule were seriously considered.	Not applicable.
7001	No.	No substantive changes from the existing rules are proposed. Alternative considerations are not applicable.	Not applicable.

Rule	Brief Description	Classes of persons affected	Quantative and Qualitative Impact
7002	Applications - all information common to all rail application types is being moved to Rule 7002 to make the rail rules and this application language conform to the remaining Commission rules. Requirements for transit agencies to file their annual report through an application is added to this section to correct the oversight of not previously including the requirement. Adds pathways to application requirements.	All railroads, railroad corporations, rail fixed guideways, transit agencies, and road authorities.	Locates all common information needed in applications to one location in the rules.
7003	Petitions - format changes only to conform to PUC Rules of Practice and Procedure format.	All railroads, railroad corporations, rail fixed guideways, transit agencies, and road authorities.	None.
7006	Annual Report - adds rail fixed guideways and transit agencies to those required to submit annual reports to the PUC.	Rail fixed guideways and transit agencies.	Moves costs to pay for PUC programs for rail fixed guideway systems and transit agencies from direct billing for SSO program to being billed by the Department of Revenue. Likely quantative impact is less funding paid by rail fixed guideways and transit agencies.
7008	Incorporation by Reference - moves incorporations by reference from Rule 7202 so all references are in the same location and adds new incorporations by reference.	All railroads, railroad corporations, rail fixed guideways, transit agencies, and road authorities.	Moves all references incorporated in the Rail Rules to one location for ease of reference.

Rule	Probable costs for agencies to implement and enforce	Anticipated effect on state revenues	Probable costs and benefits of the proposed rule	Probable costs and benefits of inaction
7002	No additional costs.	None.	Benefit: conformity among PUC rules.	None.
7003	No additional costs.	None.	Benefit: conformity among PUC rules.	None.
7006	Minimal increase in cost of additional time to provide annual report information to PUC to those not currently providing annual reports to the PUC.	None.	Possible Benefit: costs paid by rail fixed guideway systems will change, but the amount of the change can not currently be quantified. The amount of dollars paid into the Fixed Utility Fund will likely be less than the total assessments that were being made to rail fixed guideway systems previously. Part of this loss will be replaced by a future FTA SSO Program grant.	Cost: PUC would not have sufficient resources to handle grade crossing safety matters with rail fixed guideway systems, which could create public safety issues.
7008	No additional costs.	None.	Benefits: reduces word count and provides consistency in rules.	None.

Rule	Are there less costly or intrusive methods	Alternative methods for achieving the purpose of the proposed rule that were seriously considered	Reasons why they were rejected in favor of the proposed rule
7002	No.	No substantive changes from the existing rules are proposed. Alternative considerations are not applicable.	Not applicable.
7003	No.	No substantive changes from the existing rules are proposed. Alternative considerations are not applicable.	Not applicable.
7006	No. The changes clarify current statute and reflect changes required by Federal MAP-21 legislation.	The proposed rule change was made in order to meet statutory and Federal Rule requirements; as such, no alternative methods for achieving the purpose of the proposed rule were seriously considered.	Not applicable.
7008	No.	No alternatives were considered.	Not applicable.

Rule	Brief Description	Classes of persons affected	Quantative and Qualitative Impact
7101	Certificate Applications - removes the portions of these applications that were moved to Rule 7002.	All railroads, railroad corporations, rail fixed guideways, transit agencies, and road authorities.	Moves all references incorporated in the Rail Rules to one location for ease of reference.
7102	Revocation of Amendment of Certificate; Changing, Extending, Curtailing, Abandoning or Discontinuing Service - makes format changes and removes the portions of these applications that were moved to Rule 7002.	All railroads, railroad corporations, rail fixed guideways, transit agencies, and road authorities.	Moves all references incorporated in the Rail Rules to one location for ease of reference.
7103	Transfers, Mergers, and Encumbrances - makes format changes and removes the portions of these applications that were moved to Rule 7002.	All railroads, railroad corporations, rail fixed guideways, transit agencies, and road authorities.	Moves all references incorporated in the Rail Rules to one location for ease of reference.
7200	Crossings and Warning Devices - Applicability - adds pathway crossings, rail fixed guideway systems to the applicability.	All railroads, railroad corporations, rail fixed guideways, transit agencies, and road authorities.	Adds Federal and State requirements to rules.
7201	Definitions - adds a number of new definitions to the rules and clarifies existing definitions.	All railroads, railroad corporations, rail fixed guideways, transit agencies, and road authorities.	Clarifies terms used throughout the Rail Rules.
7202	Reserved - move a former incorporation by reference to Rule 7008.	All railroads, railroad corporations, rail fixed guideways, transit agencies, and road authorities.	Moves all references incorporated in the Rail Rules to one location for ease of reference.

Rule	Probable costs for agencies to implement and enforce	Anticipated effect on state revenues	Probable costs and benefits of the proposed rule	Probable costs and benefits of inaction
7101	No additional costs.	None.	Benefits: reduces word count and provides consistency in rules.	None.
7102	No additional costs.	None.	Benefits: reduces word count and provides consistency in rules.	None.
7103	No additional costs.	None.	Benefits: reduces word count and provides consistency in rules.	None.
7200	No additional costs.	None.	Benefit: adds Federal and State requirements to the rules.	None.
7201	No additional costs.	None.	Benefit: clarifies use of terms in PUC rules.	None.
7202	No additional costs.	None.	Benefits: reduces word count and provides consistency in rules.	None.

Rule	Are there less costly or intrusive methods	Alternative methods for achieving the purpose of the proposed rule that were seriously considered	Reasons why they were rejected in favor of the proposed rule
7101	No	No alternatives were considered.	Not applicable.
7102	No	No alternatives were considered.	Not applicable.
7103	No	No alternatives were considered.	Not applicable.
7200	No	No alternatives were considered.	Not applicable.
7201	No	No alternatives were considered.	Not applicable.
7202	No	No alternatives were considered.	Not applicable.

Rule	Brief Description	Classes of persons affected	Quantative and Qualitative Impact
7203	Who May Apply - adds pathways to types of applications that may be applied for, clarifies who may apply for specific types of applications, and adds the allowance of the Colorado Department of Transportation to submit applications for Federal Section 130 applications in conjunction with or on behalf of the road authority.	All railroads, railroad corporations, rail fixed guideways, transit agencies, and road authorities.	Clarifies entities that may apply for applications and adds pathways to the types of applications.
7204(a)	Application Contents - removes the incorporation by reference to the 2003 Manual on Uniform Traffic Control Devices, reworks requirements for what is necessary in an application by type of application, reduces information that needs to be provided by application type, eliminates the provision of or explanation of why certain listed information is not being required, and allows information that is easily available through the FRA Safety Data website to be provided as part of an application. Changes process regarding interconnection and preemption, and four quadrant gate timings to reduce risk to applicant.	All railroads, railroad corporations, rail fixed guideways, transit agencies, and road authorities.	Reduces the information that needs to be provided by applicants based on type of authority requested, allows use of publically available data to reduce costs of obtaining traffic count information, and reduces risk of design changes for interconnection and four-quadrant gate timing applications.
7204(b)	Application Contents - adds requirements that all plans, drawings and maps submitted be legible and be able to be printed to and measured by the identified scale.	All railroads, railroad corporations, rail fixed guideways, transit agencies, and road authorities.	Ensures that additional time and costs are not expended to resubmit plans, drawings, and maps that are not legible and able to be properly measured.

Rule	Probable costs for agencies to implement and enforce	Anticipated effect on state revenues	Probable costs and benefits of the proposed rule	Probable costs and benefits of inaction
7203	CDOT may incur minor additional costs if they submit Federal Section 130 applications in conjunction with or on behalf of other road authorities - costs to other road authorities may be reduced if CDOT prepares applications on behalf of the road authority.	Possible additional expenditure of CDOT personnel funds.	Benefits: adds Federal requirements and current PUC practices to the rules and potentially reduces workloads to some road authorities.	Cost: road authorities other than CDOT that normally do not prepare PUC applications may expend higher costs to prepare Section 130 applications.
7204(a)	Reduces costs to agencies that prepare applications by reducing time and cost to gather data, and reducing risk of costs for redesign.	Possible reduction in expenditure of CDOT personnel funds.	Benefits: adds Federal requirements and current PUC practices to the rules, reduces the information that needs to be provided by applicants based on type of authority requested, reduces costs of gathering data by allowing use of publically available data, and reduces risk to applicant for design changes for interconnection and four-quadrant gate timing applications.	Costs: Railroads, railroad corporations, rail fixe guideways, trainset agencies and road authorities may spend more for consultant review and risk increased costs for design modification if changes are ordered by the PUC.
7204(b)	Reduces costs in time and materials to resubmit information contained in an application.	Possible reduction in expenditure of CDOT personnel funds.	Benefit: reduces costs in time and materials to resubmit information.	Costs: Increased costs in time and materials to resubmit information.

Rule	Are there less costly or intrusive methods	Alternative methods for achieving the purpose of the proposed rule that were seriously considered	Reasons why they were rejected in favor of the proposed rule
7203	No	Leave who may apply requirements as they are in the current rule.	CDOT has more experience preparing PUC applications and allowing CDOT to assist or prepare Section 130 applications can reduce the time it takes to prepare and file these applications with the PUC, thereby shortening the time to improve public safety.
7204(a)	No.	No alternatives were considered.	Not applicable.
7204(b)	No.	No alternatives were considered.	Not applicable.

Rule	Brief Description	Classes of persons affected	Quantative and Qualitative Impact
7204(d)	Allows an expedited process for and reduces information to be included in applications for temporary safety measures determined by a diagnostic team to be filed in conjunction with an upcoming filing for permanent safety measures.	All railroads, railroad corporations, rail fixed guideways, transit agencies, and road authorities.	Provides an expedited process to install temporary safety measures to reduce time to improve safety at crossings.
7205	Additional Application Contents for Cost Allocation Requests in Grade Separation Applications - makes changes to require plans to be legible and printable to the identified scale, and defines the contingency amount to be used in cost estimates for theoretical structures.	All railroads, railroad corporations, rail fixed guideways, transit agencies, and road authorities.	Ensures that additional time and costs are not expended to resubmit plans, drawings, and maps that are not legible and able to be properly measured. Standardizes contingency to be used in applications.
7206	Grade Separations - Minimum Criteria for Cost Allocation Consideration - updated exposure factor and ADT volume for urban areas based on a review of FHWA documentation and Colorado specific information regarding roadways and roadway volumes.	All railroads, railroad corporations, rail fixed guideways, transit agencies, and road authorities.	Potentially reduces costs and number of grade separation cost allocation cases before the PUC for applications filed in urban areas. Potentially increases bridge costs to applicants whose structure do qualify under the new proposed rule.
7207	Cost Allocation for Grade Separation - replaces minimum project with the term theoretical structure and adds information on how the Commission shall track total grade separation cost allocation for a calendar year.	All railroads, railroad corporations, rail fixed guideways, transit agencies, and road authorities.	Clarifies how the PUC tracks grade separation cost allocation per calendar year.

Rule	Probable costs for agencies to implement and enforce	Anticipated effect on state revenues	Probable costs and benefits of the proposed rule	Probable costs and benefits of inaction
7204(d)	Increased cost of adding temporary safety measure that will be replaced shortly by permanent safety measures.	Possible additional expenditure of CDOT signing funds.	Cost: possible additional expenditure of railroad, railroad corporation, rail fixed guideway, transit agency, and road authority signing funds. Benefit: quicker improvement of public safety at crossings.	Cost: longer times to improve safety at public crossings.
7205	Reduces costs in time and materials to resubmit information contained in an application.	Possible reduction in expenditure of CDOT personnel funds.	Benefit: reduces costs in time and materials to resubmit information.	Costs: Increased costs in time and materials to resubmit information.
7206	Potentially increased costs to applicants constructing grade separations in urban areas.	Possible addition of project costs for CDOT in urban areas.	Cost: possible addition of project costs for applicants seeking grade separations in urban areas. Benefit: channels limited grade separation funding to crossings with greater exposure and need.	Cost: limited funding for grade separation projects are spread out among more qualifying projects.
7207	No additional costs.	None.	Benefits: clarifies use of terms in PUC rules and memorializes in rules PUC practice.	None.

Rule	Are there less costly or intrusive methods	Alternative methods for achieving the purpose of the proposed rule that were seriously considered	Reasons why they were rejected in favor of the proposed rule
7204(d)	No.	Continue with current process.	Current process creates longer times for making needed safety improvements at public crossings.
7205	No.	No alternatives were considered.	Not applicable.
7206	No.	Keep existing rule.	Proposed rule better represents current traffic volumes and traffic use by roadway type in urban areas in Colorado.
7207	No.	No alternatives were considered.	Not applicable.

Rule	Brief Description	Classes of persons affected	Quantative and Qualitative Impact
7208	Notice - makes minor format changes to conform to Practice and Procedure format, and adds clarification of when notice of crossing closures are posted in relation to when the Commission sends out notice to make sure these notices are synchronized to be posted/sent on the same day.	All railroads, railroad corporations, rail fixed guideways, transit agencies, and road authorities.	Puts in PUC rule the agency practice for noticing these types of applications.
7210	Failure to Provide Required Information - makes a minor wording change from docket to proceeding.	All railroads, railroad corporations, rail fixed guideways, transit agencies, and road authorities.	None.

Rule	Probable costs for agencies to implement and enforce	Anticipated effect on state revenues	Probable costs and benefits of the proposed rule	Probable costs and benefits of inaction
7208	No additional costs.	None.	Benefits: removes the need for coordination between PUC Staff and applicant in posting notice for crossing closures.	Cost: staff time for both PUC and applicant to coordinate posting of notice of closures.
7210	No additional costs.	None.	Benefit: conformity among PUC rules.	None.

Rule	Are there less costly or intrusive methods	Alternative methods for achieving the purpose of the proposed rule that were seriously considered	Reasons why they were rejected in favor of the proposed rule
7208	No.	No alternatives were considered.	Not applicable.
7210	No.	No alternatives were considered.	Not applicable.

Rule	Brief Description	Classes of persons affected	Quantative and Qualitative Impact
7211(a)	Crossing Construction and Maintenance - reassigns cost responsibilities for crossing surface replacement.	All railroads, railroad corporations, rail fixed guideways, transit agencies, and road authorities.	Total costs for crossing surface replacements remain the same, but costs responsibilities are changed for railroads, railroad corporations, rail fixed guideways, transit agencies, and road authorities.
7211(b)	Crossing Construction and Maintenance - new section to clarify road authority crossing surface responsibilities for crossing changes and clarifies that the entirety of a crossing surface does not need to be replaced to add sidewalks to an existing crossing.	All railroads, railroad corporations, rail fixed guideways, transit agencies, and road authorities.	Reduces costs to road authorities for adding sidewalks to existing at-grade highway-rail crossings.

Rule	Probable costs for agencies to implement and enforce	Anticipated effect on state revenues	Probable costs and benefits of the proposed rule	Probable costs and benefits of inaction
7211(a)	Total costs will be the same, but costs paid by each entity at the crossing will be changed.	Possible addition of project costs for CDOT for project traffic control.	<p>Cost: Total project costs will remain the same, but the costs paid by each entity at the crossing will change. Based on incomplete information provided by railroads, railroad corporations, rail fixed guideway systems and transit agencies during 2014 audit of rule 7211(a), it is not possible to determine exactly how these costs will shift.</p> <p>Benefits: reduces time necessary to replace crossing surfaces by eliminating need for cost sharing agreement between parties, improves safety at crossings quicker to reduce damage being incurred by roadway users due to unsafe crossing surface conditions.</p>	<p>Cost: continued increase in time necessary to replace crossing surfaces leading to a decrease in crossing safety, continued increase in cost to drivers needing to make car and tire repairs resulting from unmaintained and dangerous crossing surfaces, and continued violation of current rule by railroads, railroad corporations, rail fixed guideways and transit agencies.</p>
7211(b)	Reduction in project cost for adding sidewalks to existing crossings, no change in costs for other changes.	Possible reduction of project costs for CDOT.	<p>Cost: possible change in costs for projects depending on the type of project.</p> <p>Benefits: reduces costs for sidewalk addition projects.</p>	<p>Cost: increase in costs for sidewalk addition projects due to the entire crossing surface being replaced by railroads.</p>

Rule	Are there less costly or intrusive methods	Alternative methods for achieving the purpose of the proposed rule that were seriously considered	Reasons why they were rejected in favor of the proposed rule
7211(a)	No.	No changes to existing rule.	<p>The current rule was proposed by some of the railroads during the 2005 rulemaking, and was adopted by the Commission. Based on a 2014 PUC audit of this rule, of those railroads, railroad corporations, rail fixed guideways and transit agencies that responded to the audit, not a single entity was in compliance with the rule for the 5 years audited. Additionally, complaints from road authorities about the ability to get crossing surfaces replaced in a timely manner and complaints from citizens throughout the State of Colorado about money they are spending to repair punctured tires and for car repairs needed after traveling over crossing surfaces in poor maintenance necessitate the need for a rule change to eliminate the barriers that have been established for crossing surface replacements resulting from the current rule.</p>
7211(b)	No.	No alternatives considered.	Not applicable.

Rule	Brief Description	Classes of persons affected	Quantative and Qualitative Impact
7211(c)	Crossing Construction and Maintenance - new section to clarify road authority responsibilities for new crossings and road authority responsibility for traffic control.	All railroads, railroad corporations, rail fixed guideways, transit agencies, and road authorities.	Reduces costs to railroads, railroad corporations, rail fixed guideways, and transit agencies and increases costs for road authorities for traffic control for crossing projects.

Rule	Probable costs for agencies to implement and enforce	Anticipated effect on state revenues	Probable costs and benefits of the proposed rule	Probable costs and benefits of inaction
7211(c)	Reduces costs to railroads, railroad corporations, rail fixed guideways, and transit agencies and increases costs for road authorities for traffic control.	Possible addition of project costs for CDOT.	<p>Cost: possible additional costs for road authorities for projects.</p> <p>Benefits: ensures communication between railroad, railroad corporations, rail fixed guideway systems, transit agencies and road authorities to coordinate when projects occur and when to provide notice to the traveling public.</p>	Cost: lack of notice and appropriate traffic control for crossing surface replacement projects.

Rule	Are there less costly or intrusive methods	Alternative methods for achieving the purpose of the proposed rule that were seriously considered	Reasons why they were rejected in favor of the proposed rule
7211(c)	No.	No changes to existing rule.	<p>The current rule was proposed by some of the railroads during the 2005 rulemaking, and was adopted by the Commission. Based on a 2014 PUC audit of this rule, of those railroads, railroad corporations, rail fixed guideways and transit agencies that responded to the audit, not a single entity was in compliance with the rule for the 5 years audited. No documentation was provided for traffic control costs that should have been paid by railroads under the current rule as part of the cost of installation, and various road authorities have provided information that they were expected to provide and pay for traffic control for crossing surface replacement projects.</p> <p>Additionally, complaints from road authorities about the ability to get crossing surfaces replaced in a timely manner and complaints from citizens throughout the State of Colorado about money they are spending to repair punctured tires and for car repairs needed after traveling over crossing surfaces in poor maintenance necessitate the need for a rule change to eliminate the barriers that have been established for crossing surface replacements resulting from the current rule.</p>

Rule	Brief Description	Classes of persons affected	Quantative and Qualitative Impact
7211(d)	Crossing Construction and Maintenance - no changes to substance of rule - this is the current rule 7211(b).	All railroads, railroad corporations, rail fixed guideways, transit agencies, and road authorities.	None.
7211 (e)	Crossing Construction and Maintenance - no sustentative changes - this is the current rule 7211 (c).	All railroads, railroad corporations, rail fixed guideways, transit agencies, and road authorities.	None.
7211(f)	Crossing Construction and Maintenance - this is the current rule 7211(e) - adds pathway crossings to the rule requirement.	All railroads, railroad corporations, rail fixed guideways, transit agencies, and road authorities.	None.
7211(g)	Crossing Construction and Maintenance - no changes to the rule - this is the current rule 7211(f).	All railroads, railroad corporations, rail fixed guideways, transit agencies, and road authorities.	None.
7211(h)	Crossing Construction and Maintenance - modifications to current rule 7211(g) - allows sidewalk and pathway protective elements to either be attached directly to bridge structures or to extend out from bridge structures.	All railroads, railroad corporations, rail fixed guideways, transit agencies, and road authorities.	Allows more cost effective options for protective coverings for sidewalks and pathway crossings.
7211(i)	Crossing Construction and Maintenance - adds pathway crossing, bicycles and pedestrians to the rule.	All railroads, railroad corporations, rail fixed guideways, transit agencies, and road authorities.	None.
7211(j)	Crossing Construction and Maintenance - no changes to the rule - this is the current rule 7211(i).	All railroads, railroad corporations, rail fixed guideways, transit agencies, and road authorities.	None.

Rule	Probable costs for agencies to implement and enforce	Anticipated effect on state revenues	Probable costs and benefits of the proposed rule	Probable costs and benefits of inaction
7211(d)	No additional costs.	None.	None.	None.
7211 (e)	No additional costs.	None.	None.	None.
7211(f)	No additional costs.	None.	Benefit: adds Federal requirements and current PUC practices to the rules.	None.
7211(g)	No additional costs.	None.	None.	None.
7211(h)	Potential reduction in costs for construction of protective coverings.	Possible reduction of project costs for CDOT.	Benefits: possible reduction of costs for sidewalk and pathway projects.	Cost: fewer, more costly options to provide sidewalk and pathway protective elements.
7211(i)	No additional costs.	None.	Benefit: adds Federal requirements and current PUC practices to the rules.	None.
7211(j)	No additional costs.	None.	None.	None.

Rule	Are there less costly or intrusive methods	Alternative methods for achieving the purpose of the proposed rule that were seriously considered	Reasons why they were rejected in favor of the proposed rule
7211(d)	No.	No alternatives considered.	Not applicable.
7211 (e)	No.	No alternatives considered.	Not applicable.
7211(f)	No. The changes clarify current statute and reflect changes required by Federal rules.	No alternatives considered.	Not applicable.
7211(g)	No.	No alternatives considered.	Not applicable.
7211(h)	No.	No alternatives considered.	Not applicable.
7211(i)	No. The changes clarify current statute and reflect changes required by Federal rules.	No alternatives considered.	Not applicable.
7211(j)	No.	No alternatives considered.	Not applicable.

Rule	Brief Description	Classes of persons affected	Quantative and Qualitative Impact
7212(a)	Crossing Safety Diagnostics and Cost Estimates - new rule outlining requirements for crossing safety diagnostics for projects.	All railroads, railroad corporations, rail fixed guideways, transit agencies, and road authorities.	Puts in PUC rule the industry practice for projects.
7212(b)	Crossing Safety Diagnostics and Cost Estimates - new rule implementing timelines for preparation of cost estimates.	All railroads, railroad corporations, rail fixed guideways, transit agencies, and road authorities.	Reduces the time necessary to implement safety improvements.
7211(c)	Crossing Safety Diagnostics and Cost Estimates - new rule requiring Commission Staff to review and assist with preemption and exit gate timing calculations.	All railroads, railroad corporations, rail fixed guideways, transit agencies, and road authorities.	Reduces risk to applicants for design changes at crossings that include interconnection and preemption to traffic signals, and crossings that include four-quadrant gate operations.
7213(a)	Minimum Crossing Safety Requirements - makes permanent the temporary rule implementing minimum safety requirements at public crossings in Colorado.	All railroads, railroad corporations, rail fixed guideways, transit agencies, and road authorities.	Some crossings will need to be upgraded to meet the minimum requirements.

Rule	Probable costs for agencies to implement and enforce	Anticipated effect on state revenues	Probable costs and benefits of the proposed rule	Probable costs and benefits of inaction
7212(a)	No additional costs.	None.	Benefit: reduces time to initiate and construct projects with all stakeholders providing input on a project.	Cost: increased time to initiate and construct safety improvement projects and public crossings.
7212(b)	No additional costs.	None.	Benefit: reduces time to initiate and construct projects by reducing time to complete project cost estimates.	Cost: increased time to initiate and construct safety improvement projects and public crossings.
7211(c)	Minimal increase in cost of time to discuss design with Staff, potential cost savings in not having to redesign such signals.	None.	Benefits: reduces time and risk to applicants obtaining PUC assistance and review prior to project design.	Cost: increased time to initiate and construct safety improvement projects and public crossings and increased risk of project design change to applicants.
7213(a)	Expenditure of necessary funds by railroads, railroad corporations, rail fixed guideways, and transit agencies for signage to bring crossings into compliance with new minimum requirements.	None.	Cost: expenditure of necessary funds by railroads, railroad corporations, rail fixed guideways and transit agencies for signage to bring crossings into compliance with new minimum requirements. Benefits: sets minimum safety standards and increases safety at public crossings and reduces need to file certain types of applications.	Cost: safety issues at some public crossings.

Rule	Are there less costly or intrusive methods	Alternative methods for achieving the purpose of the proposed rule that were seriously considered	Reasons why they were rejected in favor of the proposed rule
7212(a)	No.	No alternatives considered.	Not applicable.
7212(b)	No.	No alternatives considered.	Not applicable.
7211(c)	No.	No alternatives considered.	Not applicable.
7213(a)	No.	No alternatives considered.	Not applicable.

Rule	Brief Description	Classes of persons affected	Quantative and Qualitative Impact
7213(b)	Minimum Crossing Safety Requirements - makes permanent the temporary rule implementing minimum advance warning sign requirements at public crossings in Colorado.	All railroads, railroad corporations, rail fixed guideways, transit agencies, and road authorities.	Some crossings will need to be upgraded to meet the minimum requirements.
7213(c)	Minimum Crossing Safety Requirements - adds a new requirement to post available storage space signage at crossings where storage distance between the dynamic envelope of the crossing and the stop bar at an intersection is less than 80 feet.	All railroads, railroad corporations, rail fixed guideways, transit agencies, and road authorities.	Some crossings will need to be upgraded to meet the minimum requirements.
7213(d)	Minimum Crossing Safety Requirements - establishes general criteria for when crossing pavement markings must or should be installed at crossings.	All railroads, railroad corporations, rail fixed guideways, transit agencies, and road authorities.	Some crossings will need to be upgraded to meet the minimum requirements.

Rule	Probable costs for agencies to implement and enforce	Anticipated effect on state revenues	Probable costs and benefits of the proposed rule	Probable costs and benefits of inaction
7213(b)	Expenditure of necessary funds by road authorities for signage to bring crossings into compliance with new minimum requirements.	Possible additional expenditure of CDOT signing funds.	<p>Cost: expenditure of necessary funds by road authorities for signage to bring crossings into compliance with new minimum requirements.</p> <p>Benefits: sets minimum safety standards and increases safety at public crossings and reduces need to file certain types of applications.</p>	Cost: continued safety issues at some public crossings.
7213(c)	Expenditure of necessary funds by road authorities for signage to bring crossings into compliance with new minimum requirements.	Possible additional expenditure of CDOT signing funds.	<p>Cost: expenditure of necessary funds by road authorities for signage to bring crossings into compliance with new minimum requirements.</p> <p>Benefits: sets minimum safety standards and increases safety at public crossings and reduces need to file certain types of applications.</p>	Cost: continued safety issues at some public crossings.
7213(d)	Expenditure of necessary funds by road authorities for signage to bring crossings into compliance with new minimum requirements.	Possible additional expenditure of CDOT signing funds.	<p>Cost: possible expenditure of funds by road authorities for striping to bring crossings into compliance with new minimum requirements.</p> <p>Benefits: sets minimum safety standards and increases safety at public crossings and reduces need to file certain types of applications.</p>	Cost: continued safety issues at some public crossings.

Rule	Are there less costly or intrusive methods	Alternative methods for achieving the purpose of the proposed rule that were seriously considered	Reasons why they were rejected in favor of the proposed rule
7213(b)	No.	No alternatives considered.	Not applicable.
7213(c)	No.	No alternatives considered.	Not applicable.
7213(d)	No.	No alternatives considered.	Not applicable.

Rule	Brief Description	Classes of persons affected	Quantative and Qualitative Impact
7301(a)	Installation and Maintenance of Crossing Warning Devices - clarifies that railroads, railroad corporations, rail fixed guideways, transit agencies, and owners of track are responsible for maintenance of all passive and active warning devices at crossings.	All railroads, railroad corporations, rail fixed guideways, transit agencies, and road authorities.	Clarifies in PUC rules the current industry requirements.
7301(b)	Installation and Maintenance of Crossing Warning Devices - clarifies that road authorities are responsible for maintenance of traffic signals at traffic signals interconnected with active warning crossing devices.	All railroads, railroad corporations, rail fixed guideways, transit agencies, and road authorities.	Places in PUC rule work that road authorities are already performing.
7301(c)	Installation and Maintenance of Crossing Warning Devices - new rule that clarifies that road authorities are required to maintain advance warning signs and pavement markings at crossings.	All railroads, railroad corporations, rail fixed guideways, transit agencies, and road authorities.	Places in PUC rule work that road authorities are already performing.
7301(d)	Installation and Maintenance of Crossing Warning Devices - no changes to the rule other than definition conformance - this is the current rule 7301(c).	All railroads, railroad corporations, rail fixed guideways, transit agencies, and road authorities.	None.
7301(e)	Installation and Maintenance of Crossing Warning Devices - no changes to the rule - this is the current rule 7301(d).	All railroads, railroad corporations, rail fixed guideways, transit agencies, and road authorities.	None.
7327(a)	Public Highways and Pathway Crossings - adds pathways to rule and changes reference of street railroad to rail fixed guideway system.	All railroads, railroad corporations, rail fixed guideways, transit agencies, and road authorities.	Adds to PUC rule current agency practice regarding pathway crossings.

Rule	Probable costs for agencies to implement and enforce	Anticipated effect on state revenues	Probable costs and benefits of the proposed rule	Probable costs and benefits of inaction
7301(a)	No additional costs.	None.	Benefits: ensures signage and signals at crossings are maintained to improve safety at public crossings.	Cost: potential safety issues at public crossings with inappropriately maintained signs and signals.
7301(b)	No additional costs.	None.	Benefits: ensures that traffic signals interconnected to rail signals are maintained to improve safety at public crossings.	Cost: potential safety issues at public crossings with inappropriately maintained signs and signals.
7301(c)	No additional costs.	None.	Benefits: ensures signage at crossings are maintained to improve safety at public crossings.	Cost: potential safety issues at public crossings with inappropriately maintained signs and pavement markings.
7301(d)	No additional costs.	None.	None.	None.
7301(e)	No additional costs.	None.	None.	None.
7327(a)	No additional costs.	None.	Benefit: adds Federal requirements and current PUC practices to the rules.	None.

Rule	Are there less costly or intrusive methods	Alternative methods for achieving the purpose of the proposed rule that were seriously considered	Reasons why they were rejected in favor of the proposed rule
7301(a)	No.	No alternatives considered.	Not applicable.
7301(b)	No.	No alternatives considered.	Not applicable.
7301(c)	No.	No alternatives considered.	Not applicable.
7301(d)	No.	No alternatives considered.	Not applicable.
7301(e)	No.	No alternatives considered.	Not applicable.
7327(a)	No. The changes clarify current statute and reflect changes required by Federal rules.	No alternatives considered.	Not applicable.

Rule	Brief Description	Classes of persons affected	Quantative and Qualitative Impact
7327(b)	Public Highways and Pathway Crossings - changes reference of street railroad to rail fixed guideway system and adds minimum requirements for grade separated pathway crossings.	All railroads, railroad corporations, rail fixed guideways, transit agencies, and road authorities.	Provides minimum design requirements for applicants based on AASHTO guidelines when designing pathway facilities.
7328(c)	Public Highways and Pathway Crossings - changes reference of street railroad to rail fixed guideway system and adds minimum requirements for grade separated pathway crossings.	All railroads, railroad corporations, rail fixed guideways, transit agencies, and road authorities.	Provides minimum design requirements for applicants based on AASHTO guidelines when designing pathway facilities.

Rule	Probable costs for agencies to implement and enforce	Anticipated effect on state revenues	Probable costs and benefits of the proposed rule	Probable costs and benefits of inaction
7327(b)	Possible increase in design costs to applicants to meet minimum requirements.	Possible addition of project costs for CDOT.	Cost: possible increase in project design costs to meet minimum requirements. Benefits: sets minimum safety clearance standards for grade separated pathway crossings.	Cost: possible safety issues with designs that do not meet minimum standards.
7328(c)	Possible increase in design costs to applicants to meet minimum requirements.	Possible addition of project costs for CDOT.	Cost: possible increase in project design costs to meet minimum requirements. Benefits: sets minimum safety clearance standards for grade separated pathway crossings.	Cost: possible safety issues with designs that do not meet minimum standards.

Rule	Are there less costly or intrusive methods	Alternative methods for achieving the purpose of the proposed rule that were seriously considered	Reasons why they were rejected in favor of the proposed rule
7327(b)	No.	No alternatives considered.	Not applicable.
7328(c)	No.	No alternatives considered.	Not applicable.