

**BEFORE THE WASHINGTON STATE  
UTILITIES AND TRANSPORTATION COMMISSION**

THE BURLINGTON NORTHERN	)	DOCKET NO. TR-050069
SANTA FE RAILWAY	)	
COMPANY,	)	ORDER NO. 01
	)	
Petitioner,	)	
	)	ORDER GRANTING PETITION TO
v.	)	UPGRADE RAILROAD WARNING
	)	DEVICES AT SAXON ROAD
WHATCOM COUNTY,	)	
	)	USDOT: 085113R
Respondent.	)	WUTC : 1G 101.20
.....	)	

**BACKGROUND**

- 1     On January 13, 2005, The Burlington Northern Santa Fe Railway Company (BNSF) filed a petition with the Commission, seeking approval to upgrade warning devices at a railroad-highway grade crossing. The crossing is located at the intersection of Saxon Road and the Petitioner’s tracks, in the NE ¼ of the NW ¼ of Section 20, Township 37 N., Range 5 E., W.M., in Whatcom County, Washington. Funding for the upgrades is pursuant to the Inter-modal Surface Transportation Efficiency Act, in cooperation with the Washington State Department of Transportation.
- 2     Respondent has consented to an entry of an order by the Commission without further notice or hearing.
- 3     In the vicinity of the crossing, Saxon Road is classified as a local access road and consists of one lane for each direction of traffic. The roadway speed through the grade crossing is 35 mph. The roadway consists of ascending grades for both approaches to the crossing, and a sharp roadway curve located within 100 feet on the east side of the crossing. Sight distance down the tracks is obscured by trees that line the west side of the BNSF right-of-way, and the roadway curve to the

east of the crossing. Average daily traffic through the crossing is estimated at less than 500 vehicles.

4 Respondent maintains one branch-line track through the crossing. Average daily train traffic includes four freight trains, traveling at a maximum speed of 25 mph.

5 Warning devices at the crossing consist of stop signs, crossbucks, and advance warning signs. Petitioner seeks to install shoulder-mounted flashing light signals with gates. The upgrades are proposed in the interest of improving safety for roadway users.

#### FINDINGS AND CONCLUSIONS

6 (1) The Washington Utilities and Transportation Commission is an agency of the state of Washington having jurisdiction over public railroad-highway grade crossings within the state of Washington. *Chapter 81.53 RCW.*

7 (2) The Saxon Road grade crossing, identified as USDOT 085113R, is a public railroad-highway grade crossing within the state of Washington.

8 (3) RCW 81.53.261 requires that the Commission grant approval prior to making changes in the method and manner of traffic control at public railroad-highway grade crossings within the state of Washington.

9 (4) Commission Staff investigated the petition and recommended that it be granted, subject to specified conditions.

10 (5) This matter was brought before the Commission at its regularly scheduled meeting on February 9, 2005.

11 (6) After examination of the petition filed by the Burlington Northern Santa Fe Railway Company on January 13, 2005, and giving consideration to all

relevant matters and for good cause shown, the Commission grants the petition.

## ORDER

### THE COMMISSION ORDERS:

12 The petition of the Burlington Northern Santa Fe Railway Company to upgrade warning devices at a railroad-highway grade crossing, located at the intersection of Saxon Road and the tracks of the Burlington Northern Santa Fe Railway Company, in Whatcom County, Washington, is granted, subject to the following conditions:

- (1) The upgrades must conform to the plans filed in this proceeding.
- (2) Traffic control devices must comply with all applicable standards specified in the U.S. Department of Transportation *Manual on Uniform Traffic Control Devices*.
- (3) Traffic control devices and instrument housing must be installed in such a manner as to provide required clearances from both the roadway and railroad tracks.
- (4) Upon completion of the upgrades authorized herein, petitioner must notify the Commission. Acceptance of the changes is subject to inspection by Commission Staff, verifying that the crossing is in full compliance with applicable laws, regulations, and the conditions specified herein.

The Commissioners, having determined that this filing complies with the requirements of RCW 81.53.261, directed the Secretary to enter this Order.

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DATED at Olympia, Washington, and effective this 9<sup>th</sup> day of February, 2005.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

CAROLE J. WASHBURN, Secretary