

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

In the Matter of the Petition of)	DOCKET TR-111584
)	
CLARK COUNTY,)	ORDER 01
)	
Petitioner,)	ORDER GRANTING PETITION TO
)	MODIFY HIGHWAY-RAIL GRADE
)	CROSSING ACTIVE WARNING
)	DEVICES AND AUTHORIZING
)	EXPENDITURE FROM THE GRADE
Seeking Approval to Upgrade Signals)	CROSSING PROTECTIVE FUND
at a Railroad-Highway Grade Crossing)	
.....)	

BACKGROUND

- 1 On November 4, 2011, Clark County (Clark County or Petitioner) filed with the Washington Utilities and Transportation Commission (Commission), a petition seeking approval to modify active warning devices at 10 railroad-highway grade crossings. On November 8, 2011, Clark County filed a revised petition. The crossings are identified on Appendix A and are located at the intersection of the Petitioner's tracks in Clark County. The Petitioner further requested the Commission authorize an expenditure of \$19,684.54 from the Grade Crossing Protective Fund (GCPF) to pay for a portion of the upgrades.

- 2 Railroad warning devices at the crossings outlined in Appendix A consist of incandescent bulbs. The Petitioner proposes to install LED lamp assemblies. These upgrades will improve the overall safety at the crossing because LED flashing lights will provide greater visibility for the motoring public.

- 3 Clark County owns the rail line and Portland-Vancouver Junction Railroad and Chelatchie Prairie Railroad operate on the line.

- 4 The Petitioner is requesting a disbursement of \$19,684.54 to pay for a portion of the upgrades. The total approximate cost of the project is \$19,684.54. Clark County will supply all labor and equipment to install the LED units. An expenditure of \$19,684.54 from the Grade Crossing Protective Fund is available to help fund the improvements.

FINDINGS AND CONCLUSIONS

- 5 (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, and authority to approve and administer disbursements from the Grade Crossing Protective Fund. *RCW 81.53; RCW 81.53.271; RCW 81.53.281.*
- 6 (2) The grade crossings outlined in Appendix A are public railroad-highway grade crossings within the state of Washington.
- 7 (3) RCW 81.53.261 requires the Commission grant approval prior to any changes to public railroad-highway grade crossings within the state of Washington. *See also WAC 480-62-150.*
- 8 (4) RCW 81.53.271 allows the Commission to disburse up to \$20,000 from the Grade Crossing Protective Fund to pay for the installation of a grade crossing protective device, without requiring the Petitioner to share the cost.
- 9 (5) Commission Staff investigated the petition and recommended that it be granted, subject to specified conditions.
- 10 (6) After reviewing Clark County's petition filed on November 4, 2011, and revised on November 8, 2011, giving due consideration to all relevant matters and for good cause shown, the Commission grants the petition and request for disbursement of funds.

ORDER

THE COMMISSION ORDERS:

- 11 Clark County's petition to upgrade active warning devices at 10 railroad-highway grade crossings located in Clark County is granted. The cost of this upgrade shall be paid from the Grade Crossing Protective Fund. Approval of the petition is subject to the following conditions:
- (1) Expenditure from the Grade Crossing Protective Fund must not exceed \$19,684.54.

- (2) Payment will be made upon presentation of claim for reimbursement for materials and labor, and verification by Commission Staff that the work has been satisfactorily completed.
- (3) Clark County must sign and return the attached project agreement.
- (4) The project must be completed no later than August 1, 2012.
- (5) Traffic control devices must comply with all applicable standards specified in the U.S. Department of Transportation *Manual on Uniform Traffic Control Devices*.
- (6) Clark County must notify the Commission on completion of the upgrades authorized in this Order. Acceptance of the upgrades is subject to inspection by Commission Staff, and verification that each crossing is in full compliance with applicable laws, regulations, and the conditions specified in this Order.

The Commissioners, having determined this Order to be consistent with the public interest, directed the Secretary to enter this Order.

DATED at Olympia, Washington, and effective November 22, 2011.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION



DAVID W. DANNER, Executive Director and Secretary

NOTICE: This is an order delegated to the Secretary for decision. In addition to serving you a copy of the decision, the Commission will post on its Internet Web site for at least fourteen (14) days a listing of all matters delegated to the Secretary for decision. You may seek Commission review of this decision. You must file a request for Commission review of this order no later than fourteen (14) days after the date the decision is posted on the Commission's Web site. The Commission will schedule your request for review for consideration at a regularly scheduled open meeting. The Commission will notify you of the time and place of the open meeting at which the Commission will review the order.

The Commission will grant a late-filed request for review only on a showing of good cause, including a satisfactory explanation of why the person did not timely file the request. A form for late-filed requests is available on the Commission's Web site.

This notice and review process is pursuant to the provisions of RCW 80.01.030 and WAC 480-07-904(2) and (3).

Appendix A - Clark County LED Signal Lamp Replacement – Crossing List

Roadway	USDOT #	Township	City	County	# of LED Replacements
NE 87 th Ave	852435W	NE ¼ SE¼ S32 T3N R2E	Unincorporated	Clark	10
State Route 503	917071H	SE ¼ NW ¼ S22 T3N R2E	Unincorporated	Clark	24
Caples Road	852342C	SW ¼ NE ¼ S22 T3N R2E	Unincorporated	Clark	20
NE 137 th Ave	852344R	NW ¼ NW ¼ S22 T3N R2E	Unincorporated	Clark	8
NE 159 th Street	852345X	NW ¼ NW ¼ S22 T3N R2E	Unincorporated	Clark	8
NE 142 nd Street	852346E	SW ¼ SE ¼ S22 T3N R2E	Unincorporated	Clark	8
NE 199 th Street (Eaton)	852348T	NW ¼ NE ¼ S11 T3N R2E	Battle Ground	Clark	10
NE 182 nd Ave	852356K	NE ¼ NW ¼ S30 T4N R3E	Unincorporated	Clark	16
NE 279 th Street	852358Y	NW ¼ NW ¼ S19 T4N R3E	Unincorporated	Clark	8
NE Lucia Falls Road	852362N	NW ¼ NW ¼ S14 T4N R3E	Unincorporated	Clark	8