

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

BNSF RAILWAY CO.,	)	DOCKET TR-010316
	)	
Petitioner,	)	ORDER 02
	)	
CITY OF RENTON,	)	ORDER MODIFYING ORDER 01
	)	GRANTING PETITION FOR
Respondent.	)	RECONSTRUCTION OF A GRADE
	)	CROSSING AT LAKE WASHINGTON
	)	BOULEVARD
	)	
	)	
.....	)	USDOT: #091724U

**BACKGROUND**

- 1 On March 7, 2001, BNSF Railway Co. (BNSF or Petitioner) filed with the Utilities and Transportation Commission (Commission), a petition seeking approval to modify a railroad-highway grade crossing. The crossing is identified as USDOT #091724U and is located at the intersection of Lake Washington Boulevard and BNSF’s tracks in the city of Renton (City). On March 14, 2001, the Commission issued an Order granting the petition.
  
- 2 On June 5, 2012, BNSF filed a petition seeking approval to modify Order 01. Filed with the petition, the Respondent, City of Renton consented to entry of an Order by the Commission without further notice or hearing.
  
- 3 BNSF seeks to modify Order 01 because of a delay in implementing all of the approved changes to the Lake Washington Boulevard railroad crossing. The delay in completing the upgrades to the crossing is due to the postponement of a redevelopment project located near the railroad crossing. The redevelopment project called “Southport” is located west of the crossing and if completed would have had a significant impact on increasing the amount of vehicle traffic over the crossing. The Southport project proposes to redevelop property from industrial to a mixed use development, including residential, commercial and office facilities. Unfortunately, due to unfavorable economic conditions the Southport project is indefinitely delayed and the City cannot predict when it will be completed.

- 4 Several changes to the crossing have been implemented to date, which include upgrading the grade crossing surface to concrete panels and some signal changes. The signal changes include installing a new control bungalow, all new foundations for the signal equipment, and the associated underground conduits and wiring for the new equipment. BNSF has completed as many upgrades as they could prior to the completion of the Southport development and associated road modifications.
- 5 Because the upgrades to the Lake Washington Boulevard crossing are only partially complete and no firm date for completion can be determined, BNSF and the City now propose interim changes to the crossing. The interim changes will improve safety and utilize the equipment that has been stored for years. Because of the unique configuration of the roadway and multiple rail lines at this location which includes the roadway intersection of Lake Washington Boulevard and Old Gene Coulon Drive there is multiple railroad warning devices on the approaches to the crossing.
- 6 Current railroad warning devices at the crossing consist of cross-bucks, shoulder and cantilever mounted railroad signals and pavement markings. None of the signal masts have gates, only flashers.
- 7 Lake Washington Boulevard is classified as an urban local road with two lanes and a posted vehicle speed limit of 25 miles per hour. Average daily traffic through the crossing is estimated at 18,000 vehicles. Up to 16 school buses travel over this crossing on week days.
- 8 BNSF operates one freight train per day at up to 10 miles per hour over the single track crossing. No passenger trains operate over the crossing.
- 9 The interim changes BNSF proposes to implement include; adding gates to all the signal masts, replacing one cantilevered style mast with a shoulder mounted type, removing the bungalow no longer in use, and installing guard rails around the base of the signal masts to provide additional protection to the equipment.

### **FINDINGS AND CONCLUSIONS**

- 10 (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.*

- 11 (2) The Lake Washington Boulevard grade crossing, identified as USDOT #091724U, is a public railroad-highway grade crossing within the state of Washington.
- 12 (3) RCW 81.53.261 and WAC 480-62-150 require that the Commission grant approval prior to modifying a public railroad-highway grade crossing or upgrading active crossing warning signals or devices within the state of Washington.
- 13 (4) Commission Staff investigated the petition and recommended that it be granted with conditions.
- 14 (5) After examination of the petition filed by BNSF Railway Co. on June 5, 2012, and giving consideration to all relevant matters and for good cause shown, the Commission grants the petition.

## **ORDER**

### **THE COMMISSION ORDERS:**

- 15 The petition of BNSF Railway Co. to modify a railroad-highway grade crossing at the intersection of Lake Washington Boulevard and the Petitioner's tracks in the city of Renton is granted. Approval of the petition is subject to the following conditions:
- (1) The modifications must conform to those described and attached to the petition.
  - (2) Add gates to all signal masts, replace cantilever styled signal with shoulder mounted type on the northbound approach to the crossing, remove the unused bungalow, and install guard rails around the base of the signal masts.
  - (3) Traffic control devices must comply with all applicable standards specified in the U.S. Department of Transportation Manual on Uniform Traffic Control Devices.
  - (4) Upon completion of the authorized construction, Petitioner must notify the Commission within 30 days. 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 set forth in this order

The Commissioners, having determined that this filing complies with the requirements of WAC 480-62-150(1)(f), WAC 480-62-150(2)(b) and RCW 81.53.030, directed the Secretary to enter this Order.

DATED at Olympia, Washington, and effective June 25, 2012.

**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).