

**BEFORE THE WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION**

In the Matter of the Petition of

CITY OF RICHLAND,

Petitioner,

To Reconstruct the Steptoe Street
Highway-Rail Grade Crossing and
Modify Active Warning Devices

DOCKET TR-090912

ORDER 02

RESCINDING APPROVAL TO
RECONSTRUCT THE STEPTOE
STREET HIGHWAY-RAIL GRADE
CROSSING AND MODIFY ACTIVE
WARNING DEVICES

USDOT: 310397T

BACKGROUND

- 1 On June 15, 2009, the city of Richland (City or Petitioner) filed with the Washington Utilities and Transportation Commission (Commission), a petition (Petition) seeking approval to reconstruct a highway-rail grade crossing and to modify existing active warning devices. The crossing is located at the intersection of Steptoe Street and the Port of Benton's track in the city of Richland, Benton County, and is identified as USDOT 310397T.
- 2 On July 2, 2009, the Commission entered Order 01 granting the Petition to construct the crossing.
- 3 On April 29, 2024, the City submitted a request to withdraw its Petition to reconstruct the crossing as the crossing reconstruction approved in 2009 has not been completed.
- 4 Commission Staff (Staff) recommends that the Commission rescind the approval for construction of the crossing granted in Order 01.

DISCUSSION

- 5 RCW 81.53.060 requires that the Commission grant approval prior to the alteration in the method and manner of an existing crossing. We agree with Staff's recommendation. We rescind the authority we granted to the City in Order 01 without prejudice to the City's ability to submit a revised petition in the future.

FINDINGS AND CONCLUSIONS

- 6 (1) The Commission is an agency of the State of Washington having jurisdiction over public crossings within the state of Washington.
- 7 (2) RCW 81.53.060 requires that the Commission grant approval prior to the alteration in the method and manner of an existing crossing. See also WAC 480-62-150.
- 8 (3) Staff investigated the City’s request to withdraw its Petition and recommends that it be granted.
- 9 (4) This matter came before the Commission at its regularly scheduled meeting on June 13, 2024.
- 10 (5) After review of the City’s request filed on April 29, 2024, and giving consideration to all relevant matters and for good cause shown, the Commission grants the request.

ORDER

THE COMMISSION ORDERS:

- 11 (1) The Commission rescinds the approval in Order 01 for the City of Richland to reconstruct a public highway-rail grade crossing at Steptoe Street in Richland, Benton County.
- 12 (2) If the City of Richland wishes to reconstruct this crossing in the future, it must submit a new petition for Commission approval.

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

DATED at Lacey, Washington, and effective June 13, 2024.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

JEFF KILLIP
Executive Director and Secretary