

**BEFORE THE WASHINGTON  
UTILITIES AND TRANSPORTATION COMMISSION**

|                       |   |   |
|-----------------------|---|---|
| BNSF RAILWAY COMPANY, | ) | DOCKET TR-151859                        |
|                       | ) |   |
| Petitioner,           | ) | ORDER 01                                |
|                       | ) |   |
| CITY OF AUBURN,       | ) | ORDER GRANTING PETITION TO              |
|                       | ) | RECONSTRUCT A PUBLIC                    |
| Respondent.           | ) | HIGHWAY-RAIL GRADE CROSSING             |
|                       | ) | AT 29 <sup>TH</sup> STREET NW IN AUBURN |
|                       | ) |   |
|                       | ) | USDOT: 085650R                          |
|                       | ) |   |
| .....                 | ) |   |

**BACKGROUND**

- 1     On September 17, 2015, BNSF Railway Company (BNSF or Petitioner) filed a petition with the Washington Utilities and Transportation Commission (Commission) seeking approval to reconstruct a railroad-highway grade crossing at 29<sup>th</sup> Street NW in the city of Auburn. BNSF proposes to add an additional mainline track through the 29<sup>th</sup> Street NW crossing.
  
- 2     The City of Auburn (City) consented to entry of an Order by the Commission without further notice or hearing.
  
- 3     29<sup>th</sup> Street NW is a two-lane, dead-end city street with one lane in each direction. The average daily vehicle traffic over the crossing is 20 vehicles. No commercial vehicles travel over the crossing and 29<sup>th</sup> Street NW is not a school bus route. The posted legal speed limit is 25 miles per hour.
  
- 4     BNSF currently maintains two mainline tracks at this location. Up to 24 freight trains per day traveling up to 60 miles per hour operate over the crossing. Up to 23 passenger trains per day traveling up to 79 miles per hour also operate over the crossing.
  
- 5     Railroad warning devices at the 29<sup>th</sup> Street NW crossing consist of crossbucks, shoulder-mounted lights and gates, and advance warning signs.
  
- 6     BNSF is constructing a third mainline track in this area to expedite train movements through the City of Auburn. The addition of the third mainline track will allow commuter trains to access passenger platforms, just south of West Main Street, while other trains continue to move down the third track. As part of this project, BNSF proposes to relocate the existing

railroad signal equipment on the west side of the tracks to accommodate the new mainline track.

- 7 The proposed upgrades are in the interest of improving and safety and convenience for roadway users.

### FINDINGS AND CONCLUSIONS

- 8 (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.*
- 9 (2) The proposed reconstruction of a crossing involving a public railroad-highway grade crossing, as defined in RCW 81.53.010.
- 10 (3) RCW 81.53.261 and WAC 480-62-150 require that the Commission grant approval prior to reconstructing a public railroad-highway grade crossing within the state of Washington.
- 11 (4) Commission staff investigated the petition and recommends that it be granted. All traffic control devices must comply with all applicable standards specified in the U.S. Department of Transportation *2009 Manual on Uniform Traffic Control Devices.*
- 12 (5) After examination of the petition filed by BNSF on September 17, 2015, and giving consideration to all relevant matters and for good cause shown, the Commission grants the petition.

### ORDER

#### THE COMMISSION ORDERS:

- 13 The petition of BNSF to reconstruct a railroad-highway grade crossing at 29<sup>th</sup> Street NW and the Respondents' tracks in the City of Auburn is granted, as follows:
- (1) The modifications must conform to those described in the petition.

- (2) Traffic control devices must comply with all applicable standards specified in the U.S. Department of Transportation *2009 Manual on Uniform Traffic Control Devices*.
- (3) Petitioner must notify Commission Staff within 30 days upon completion of this modification project.

The Secretary of the Commission has delegated authority over this matter pursuant to Order 01 in Docket A-151775. The Secretary finds this Order to be consistent with the public interest.

DATED at Olympia, Washington, and effective January 29, 2016.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION



STEVEN V. KING, 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).