

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

In the Matter of the Petition of)	DOCKET NO. TR-050645
)	
TRANSALTA CENTRALIA)	ORDER NO. 01
GENERATION, LLC)	
)	
Petitioner,)	ORDER GRANTING EXEMPTION
)	FROM CLEARANCE RULES IN WAC
Requesting Exemption From WAC)	480-60 AT OVERHEAD CONVEYOR
480-60-040)	CROSSING
.....)	

BACKGROUND

- 1 On April 20, 2005, TransAlta Centralia Generation, LLC (TransAlta) filed a petition with the Commission, requesting exemption from railroad clearance rules in WAC 480-60-040, which generally requires an overhead clearance of at least 22'-6." Although the rule provides for exceptions, the type of structure associated with TransAlta's request is subject to the general rule.
- 2 The BNSF Railway Company (BNSF), as the primary rail operator within the TransAlta facility, has filed a letter supporting TransAlta's request for the exemption proposed in this docket. BNSF's support is conditioned upon the Commission granting a variance for the proposed clearance.
- 3 The request relates to the construction of a coal conveyor assembly that will pass over a new loop track within the TransAlta Centralia facility. The overhead clearance between the tracks and the overhead conveyor assembly achieved by TransAlta's proposed design is 19'-2 3/4" or 3'-3 1/4" below the required minimum.
- 4 Trains traveling through on the subject track will be limited to 10 mph. With the proposed clearances, BNSF's trains will be able to clear the structures; however, the close clearance would present a risk to individuals riding on the top of a train.

5 All parties agreed that any clearance exemption at the proposed location should be conditioned upon a prohibition against riding on the exterior of any rail equipment in the vicinity of the conveyor assembly, and clearly marking and signing the location as having substandard clearance.

FINDINGS AND CONCLUSIONS

- 6 (1) The Washington Utilities and Transportation Commission is an agency of the state of Washington having jurisdiction over railroad clearance requirements. Chapter 81.28.010 RCW and WAC 480-60-020.
- 7 (2) Commission Staff investigated the request and recommended that it be granted, subject to specified conditions.
- 8 (3) This matter was brought before the Commission at its regularly scheduled meeting on June 29, 2005.
- 9 (4) After examination of the petition filed by TransAlta on April 20, 2005, and giving consideration to all relevant matters and for good cause shown, the Commission grants the petition.

ORDER

THE COMMISSION ORDERS:

10 The petition of TransAlta Centralia Generation, LLC, requesting exemption from WAC 480-60 as specified above, is granted. Approval of the petition is subject to the following conditions:

- (1) The BNSF Railway Company must issue a General Order to all train crews operating on the TransAlta Centralia loop track prohibiting the practice of riding on top of any on-track equipment when approaching or traveling under the coal

conveyor assembly. A copy of the General Order must be provided to Commission Staff upon its issuance.

- (2) Cautionary signs must be installed on each railroad approach to the coal conveyor assembly that indicate that the clearance between the conveyor and the track is substandard. The signs must be reflectorized, designed, and placed so as to be highly visible and clearly indicative of the points of close clearance.
- (3) TransAlta Centralia Generation, LLC must notify Commission Staff upon installation of the signs required by condition 2. Acceptance of the installations is subject to inspection by Commission Staff for compliance with the requirements herein.

The Commissioners, having determined that this filing complies with the requirements of Chapter 81.28.010 RCW and WAC 480-60-020, directed the Secretary to enter this Order.

DATED at Olympia, Washington, and effective this 29th day of June, 2005.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

CAROLE J. WASHBURN, Secretary