

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

<p>In The Matter of the Petition of</p> <p>CASCADE AND COLUMBIA RIVER RAILROAD,</p> <p style="padding-left: 40px;">Petitioner,</p> <p style="padding-left: 60px;">v.</p> <p>CHELAN COUNTY,</p> <p style="padding-left: 40px;">Respondent.</p> <p>.....</p>	<p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p>	<p>DOCKET NO. TR-061920</p> <p>ORDER 01</p> <p>ORDER GRANTING PETITION TO UPGRADE WARNING DEVICES AND AUTHORIZE EXPENDITURE FROM THE GRADE CROSSING PROTECTIVE FUND</p> <p>USDOT: 096221T UTC: 35A37.80</p>
--	---	---

BACKGROUND

- 1 On December 27, 2006, Cascade and Columbia River Railroad (Cascade and Columbia River) filed a petition with the Utilities and Transportation Commission (Commission), seeking approval to upgrade warning devices at a railroad-highway grade crossing. The crossing is identified as USDOT 096221T and is located at A Street and the respondent’s tracks in the city of Chelan Falls. The petitioner further requested the Commission authorize an expenditure of \$20,000 from the Grade Crossing Protective Fund (GCPF) to pay for a portion of the upgrades.

- 2 Railroad warning devices at the A Street crossing consist of crossbucks and advance warning signs. The petitioner proposes to install active warning devices which include a PMD II motion detector, shoulder mounted lights and gates and instrument housing. These upgrades will improve the overall safety at the crossing because motorists and pedestrians can rely on these active warning devices to determine if a train is approaching the crossing.

- 3 The petitioner is requesting a disbursement of \$20,000 to pay for a portion of the upgrades. The total approximate cost of the project is \$41,493. Chelan County will contribute \$21,493 and the Commission will provide some surplus equipment. An expenditure of \$20,000 from the Grade Crossing Protective Fund is available to pay for help fund the improvements.

FINDINGS AND CONCLUSIONS

- 4 (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. *RCW 81.53*.
- 5 (2) The A Street grade crossing, identified as USDOT 096221T, is a public railroad-highway grade crossing within the state of Washington.
- 6 (3) WAC 480-62-150 (2)(d) requires the Commission grant approval prior to any changes to public railroad-highway grade crossings within the state of Washington.
- 7 (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 a cost-share by the petitioner.
- 8 (5) Commission staff investigated the petition and recommended that it be granted, subject to specified conditions.
- 9 (6) After examination of the petition filed by Cascade and Columbia River Railroad on December 27, 2006, and giving 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:

10 The petition of Cascade and Columbia River Railroad to upgrade warning devices at a railroad-highway grade crossing, located at A Street and the respondent's tracks in Chelan County, Washington, 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 \$20,000.

- (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) Cascade and Columbia River Railroad must sign and return the attached project agreement.
- (4) The project must be completed no later than June 30, 2007.
- (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) Upon completion of the upgrades authorized herein, petitioner must notify the Commission. Acceptance of the changes is subject to inspection by Commission staff, verifying the crossing is in full compliance with applicable laws, regulations, and the conditions specified herein.

The Commissioners, having determined that this filing complies with the requirements of RCW 81.53.030, and RCW 81.53.271, directed the Secretary to enter this Order.

DATED at Olympia, Washington, and effective April 17, 2007.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

CAROLE J. WASHBURN, Executive Secretary