

**BEFORE THE WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION**

BNSF RAILWAY CO.,	)	DOCKET TR-010316
)	
Petitioner,	)	ORDER 03
)	
CITY OF RENTON,	)	ORDER MODIFYING ORDER 02
	)	GRANTING PETITION FOR
	)	RECONSTRUCTION AND
Respondent.	)	INTERCONNECTION OF RAILROAD
	)	WARNING AND HIGHWAY TRAFFIC
	)	SIGNALS AT LAKE WASHINGTON
	)	BOULEVARD
)	
	)	USDOT: #091724U
.....)	

BACKGROUND

- 1 On March 7, 2001, BNSF Railway Co. (BNSF or Petitioner) filed with the Washington 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. 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 (City) consented to entry of an Order by the Commission without further notice or hearing. The petition requested to modify Order 01 because of a delay in implementing all of the approved changes to the railroad crossing. The delay was attributed to unfavorable economic conditions which delayed a nearby development called the "Southport Project." On June 25, 2012, the Commission issued an Order granting the petition. BNSF has since completed the work approved by Order 02.
- 3 On August 20, 2014, BNSF filed another petition seeking approval to modify Order 02. Filed with the petition, the City consented to entry of an Order by the Commission without further notice or hearing.
- 4 BNSF filed a separate petition on September 5, 2014, in Docket TR-143272 seeking approval to reconstruct the Old Gene Coulon Drive/Southport Boulevard (Southport)

- crossing. The Southport petition is related to the petition filed in this docket because Southport intersects with Lake Washington Boulevard about 60 feet east of the crossing, creating a "T" intersection. The proposed modifications to the roadway and installation of a new traffic signal impact both crossings and should be considered simultaneously.
- 5 Lake Washington Boulevard is classified as a two-lane urban local road with a posted vehicle speed limit of 25 miles per hour. Average daily traffic through the crossing is estimated at 10,000 vehicles. Up to 16 school buses travel over this crossing on weekdays. BNSF operates one freight train per day at up to 10 miles per hour over the single main line track crossing. No passenger trains operate over the crossing. Warning devices at the Lake Washington Boulevard crossing include cantilever mounted lights, crossbucks, pavement markings, and advance warning signs.
- 6 The City proposes to move ahead with roadway modifications and pedestrian upgrades at the Lake Washington Boulevard crossing prior to the signal modifications being made. The roadway modifications are related to the redevelopment of the Southport Project, located near the crossing, which was previously delayed; however, favorable economic conditions make the redevelopment project viable.
- 7 The Southport Project will have a significant impact on increasing the daily vehicle traffic over the crossing from 10,000 to 18,000 within the next four years. Gene Coulon Park is located near the Southport property and has seasonal restrictions from June through August when no significant roadway projects can occur nearby thus complicating the timing of the project.
- 8 The City proposes to complete the pedestrian, roadway and traffic signal modifications by the end of 2014. BNSF does not anticipate completing the signal/pre-emption upgrades at the crossing until second quarter 2015. As a result of the timing of the crossing and roadway improvements, BNSF and the City propose and support an interim Phase 1 and 2 approach to accomplish the work while still maintaining safety for the traveling public.
- 9 Phase 1, the interim plan, will be completed by the City and involves a new traffic signal, roadway reconfiguration, new signage, pavement markings, protective barriers around signal equipment, new sidewalks, and roadway illumination. It is anticipated that Phase 1 will be in place for approximately one year.

- 10 Phase 2, the permanent plan, will be completed by BNSF and involves modifying the railroad signal equipment and interconnecting it with the new traffic signal. Advance preemption time of 29 seconds is proposed which allows adequate time to clear vehicles and pedestrians utilizing the crossing. The traffic sign will operate in flashing-red "All Way Stop" mode until Phase 2 is complete.

FINDINGS AND CONCLUSIONS

- 11 (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.*
- 12 (2) The Lake Washington Boulevard grade crossing, identified as USDOT #091724U, is a public railroad-highway grade crossing within the state of Washington.
- 13 (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.
- 14 (4) Commission Staff investigated the petition and recommended that it be granted with conditions.
- 15 (5) After examination of the petition filed by BNSF Railway Co. on August 20, 2014, and giving consideration to all relevant matters and for good cause shown, the Commission grants the petition.

ORDER

THE COMMISSION ORDERS:

- 16 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) The City of Renton must implement Phase 1/interim plan within one year from the effective date of this order.
- (3) BNSF Railway Co. must implement Phase 2/permanent plan within one year from completion of Phase 1/interim plan.
- (4) Traffic control devices must comply with all applicable standards specified in the U.S. Department of Transportation Federal Highway Administration Manual on Uniform Traffic Control Devices.
- (5) Upon completion of the authorized construction of each phase, 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 Secretary of the Commission has delegated authority over this matter pursuant to Order 03 in Docket A-090485. The Secretary finds this Order to be consistent with the public interest.

DATED at Olympia, Washington, and effective September 12, 2014.

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).