

**BEFORE THE WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION**

In the Matter of the Petition of

COLUMBIA BASIN RAILROAD,

Petitioner,

Seeking Approval to Upgrade Signals
at a Railroad-Highway Grade Crossing

DOCKET TR-170313

ORDER 01

ORDER GRANTING PETITION TO
MODIFY HIGHWAY-RAIL GRADE
CROSSING ACTIVE WARNING
DEVICES AT N NE ROAD AND
AUTHORIZING EXPENDITURE
FROM THE GRADE CROSSING
PROTECTIVE FUND

USDOT: 089819C

BACKGROUND

- 1 On May 1, 2017, the Columbia Basin Railroad (CBRR or Petitioner) filed with the Washington Utilities and Transportation Commission (Commission), a petition seeking approval to modify active warning devices at a railroad-highway grade crossing. The crossing is identified as USDOT 089819C and is located at the intersection of N NE Road and the Petitioner's tracks in Grant county. The Petitioner further requested the Commission authorize an expenditure of \$5,696 from the Grade Crossing Protective Fund (GCPF) to pay for a portion of the cost of the upgrades.
- 2 N NE Road is a two-lane roadway with a posted speed limit of 35 miles per hour. Average annual daily vehicle traffic through the crossing is estimated at 800 vehicles. N NE Road is part of an established school bus route with two buses traveling over the crossing daily. The crossing is also part of an established truck route, with trucks making up 12 percent of the total daily traffic on this roadway. Two freight trains operate over this single mainline track crossing each day at 10 miles per hour. No passenger trains operate over the crossing.
- 3 Railroad warning devices at the N NE Road crossing consist of shoulder-mounted flashing lights, gates, crossbucks, and advance warning signs. The Petitioner proposes to replace 13 batteries in the crossing signal system.
- 4 Commission Staff reviewed the proposed upgrade and recommends approval of the project. This upgrade will improve the overall safety at the crossing by providing improved reliability if there is a power failure at the crossing.

5 The total approximate cost of the project is \$5,696. The Petitioner is contributing labor
toward the cost of the upgrades and is responsible for any additional project costs. An
expenditure of \$5,696 from the Grade Crossing Protective Fund is available to help fund
the improvements.

FINDINGS AND CONCLUSIONS

- 6 (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, and authority to approve and administer
disbursements from the Grade Crossing Protective Fund. RCW 81.53;
RCW 81.53.271; RCW 81.53.281.
- 7 (2) The grade crossing at N NE Road, identified as USDOT 089819C, is a public
railroad-highway grade crossing within the state of Washington.
- 8 (3) RCW 81.53.261 requires the Commission to grant approval prior to any changes
to public railroad-highway grade crossings within the state of Washington. *See
also* WAC 480-62-150.
- 9 (4) RCW 81.53.271 allows the Commission to disburse funds from the Grade
Crossing Protective Fund to pay for the installation of a grade crossing protective
device, without requiring the Petitioner to share the cost.
- 10 (5) Commission Staff investigated the petition and recommended that it be granted,
subject to specified conditions.
- 11 (6) After reviewing CBRR's petition filed on May 1, 2017, and giving due
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:

12 Columbia Basin Railroad's petition to upgrade warning devices at a railroad-highway
grade crossing, located at N NE Road, 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 \$5,696.
- (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) CBRR must sign and return the attached project agreement.
- (4) The project must be completed no later than June 23, 2017.
- (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) CBRR must notify the Commission on completion of the upgrades authorized in this Order. Acceptance of the upgrades is subject to inspection by Commission Staff, and verification that the crossing is in full compliance with applicable laws, regulations, and the conditions specified in this Order.

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 May 8, 2017.

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 website 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 website.

This notice and review process is pursuant to the provisions of RCW 80.01.030 and WAC 480-07-904(2) and (3).