

**BEFORE THE WASHINGTON UTILITIES AND TRANSPORTATION  
COMMISSION**

|                                  |   |                             |
|----------------------------------|---|-----------------------------|
| In the Matter of the Petition of | ) | DOCKET TR-112128            |
|                                  | ) |                             |
| BENTON COUNTY,                   | ) | ORDER 02                    |
|                                  | ) |                             |
| Petitioner,                      | ) | ORDER GRANTING EXTENSION OF |
|                                  | ) | TIME TO CLOSE A PUBLIC      |
| v.                               | ) | HIGHWAY-RAIL GRADE CROSSING |
|                                  | ) | COCHRAN ROAD                |
| UNION PACIFIC RAILROAD,          | ) |                             |
|                                  | ) | USDOT: 440597K              |
| Respondent.                      | ) |                             |
| .....                            | ) |                             |

**BACKGROUND**

- 1     On December 13, 2011, Benton County (County or the Petitioner) filed with the Commission a petition requesting to close the Cochran Road highway-rail grade crossing. The crossing is identified as USDOT 440597K and is located at the intersection of Cochran Road and Union Pacific Railroad’s tracks in Benton County.
- 2     On February 10, 2012, the Commission issued an Order approving the closure of the Cochran Road highway-rail grade crossing. The Order required the County to close the crossing by December 31, 2012.
- 3     On January 4, 2013, the County submitted a request for an extension of time until April 30, 2013, to close the Cochran Road highway-rail grade crossing. The County states that delay of another project impacts the County’s ability to close the Cochran Road crossing. The related project is the extension of Piert Road which has not been completed and therefore Cochran Road cannot be closed. Once Piert Road is constructed it will provide an alternate access route to the same area served by the Cochran Road crossing. The Army Corp of Engineers uses Cochran Road to access their pump station and a local farmer uses it to access his fields. Once Piert Road is completed, both parties will have access to this property off Piert Road and Cochran Road can be closed.
- 4     Staff recommends that the Commission extend the closure date of the Cochran Road crossing to June 30, 2013, to provide additional time for all aspects of the Piert Road construction project to be completed and removal of the Cochran Road crossing.

**FINDINGS AND CONCLUSIONS**

- 5 (1) After reviewing Benton County's request, and giving due consideration to all relevant matters and for good cause shown, the Commission grants the extension of time to June 30, 2013.

**ORDER**

**THE COMMISSION ORDERS:**

- 6 The request of Benton County for an extension of time to close the Cochran Road highway-rail grade crossing is granted, subject to the following conditions:
- (1) The Cochran Road crossing must be closed by June 30, 2013.
  - (2) Upon closure of the crossing, Union Pacific Railroad must remove the crossing surface and warning devices.
  - (3) Upon completion of the closure authorized herein, Benton County must notify the Commission within 30 days.

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 January 9, 2013.

**WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION**

**DAVID W. DANNER, 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).