

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

TOWN OF SPANGLE,	)	DOCKET TR-110978
	)	
Petitioner,	)	ORDER 02
	)	
v.	)	ORDER APPROVING AMENDED
	)	PETITION FOR PEDESTRIAN
WASHINGTON AND IDAHO	)	IMPROVEMENTS AT THE 3 <sup>rd</sup> STREET
RAILROAD and WASHINGTON	)	CROSSING IN SPANGLE
STATE DEPARTMENT OF	)	
TRANSPORTATION,	)	
	)	USDOT: 059001Y
Respondents	)	
.....	)	

**BACKGROUND**

- 1     On May 27, 2011, the Town of Spangle (Town) filed a petition with the Commission, seeking approval to install sidewalks at a railroad-highway grade crossing. The crossing is identified as USDOT 059001Y and located at the intersection of 3<sup>rd</sup> Street and the Respondents’ tracks in Spangle, Washington.
- 2     On June 27, 2011, the Commission issued an Order approving the proposed changes to the 3<sup>rd</sup> Street crossing. The Order approved installing a pedestrian sidewalk, which will be located adjacent to the road on the north side of the crossing. The sidewalks leading up to the crossing will be five feet wide and concrete. The crossing surface over the tracks will be made of concrete and be eight feet long. The new sidewalks and crossing surface will provide pedestrians with a smooth, continuous walking surface to and across the tracks. Washington and Idaho Railroad will maintain the warning signs but upgrade them as required in Order 01. In addition, Washington and Idaho Railroad should install retroreflective tape on the sign posts and additional cross bucks on the back side of the each cross buck so the signs will be two-sided.
- 3     On March 2, 2012, the Town notified the Commission that they want to deviate from the approved location of the sidewalk. The town is now proposing to relocate the sidewalk and crossing surface eight feet to the north of the road which will better align with the proposed crosswalk to the east on Ash Street. The new sidewalk alignment provides a safer path of travel for pedestrians crossing Ash Street. On March 6 and 8, 2012, the

Washington and Idaho Railroad, the operator, and the Washington State Department of Transportation, the owner of the rail line, submitted statements of support to the amended petition.

- 4 The amended proposal will still provide pedestrians with a smooth walking surface and ensure safe travel across the crossing. Staff recommends that the Commission approve the amended petition.

### **FINDINGS AND CONCLUSIONS**

- 5 (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.*
- 6 (2) The 3<sup>rd</sup> Street grade crossing, identified as USDOT 059001Y is a public railroad-highway grade crossing within the state of Washington.
- 7 (3) WAC 480-62-150(1)(g) requires that the Commission grant approval prior to any changes to crossing surfaces at public railroad-highway grade crossings within the state of Washington.
- 8 (4) Commission Staff investigated the amended petition and recommended that it be granted.
- 9 (5) After examination of the amended petition filed by the Town of Spangle on May 27, 2011, and revised on March 2, 2012, and giving consideration to all relevant matters and for good cause shown, the Commission grants the amended petition.

### **ORDER**

#### **THE COMMISSION ORDERS:**

- 10 The amended petition of the Town of Spangle to install sidewalks at a railroad-highway grade crossing, located at the intersection of 3<sup>rd</sup> Street and Washington State Department of Transportation/Washington and Idaho Railroad's tracks in Spangle, Washington, is granted. Approval of the amended petition is subject to the following conditions:

- (1) The modifications must conform to those described in the amended petition.

- (2) Traffic control devices must comply with all the applicable standards specified in the 2009 U.S. Department of Transportation Manual on Uniform Traffic Control Devices.
- (3) Upon completion of the sidewalks authorized herein, petitioner must notify the Commission. 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 specified herein.

The Commissioners, having determined that this filing complies with the requirements of WAC 480-62-150(1) (g) and RCW 81.53.030, directed the Secretary to enter this Order.

DATED at Olympia, Washington, and effective March 16, 2012.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

DAVID W. DANNER, Executive Director

**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).