

**BEFORE THE WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION**

WASHINGTON STATE
DEPARTMENT OF
TRANSPORTATION,

Petitioner,

CENTRAL PUGET SOUND
REGIONAL TRANSPORTATION
AUTHORITY (SOUND TRANSIT),
BNSF RAILWAY CO., TACOMA
RAIL, JOINT BASE LEWIS-
MCCHORD,

Respondents.

DOCKET TR-150509

ORDER 03

ORDER SUSPENDING REPORTING
REQUIREMENT IN ORDER 01

USDOT: 085830N

BACKGROUND

- 1 On July 2, 2015, the Washington Utilities and Transportation Commission (Commission), approved a petition by the Washington State Department of Transportation (WSDOT) seeking approval to modify a railroad-highway grade crossing and interconnect the railroad signals with existing traffic signals. The crossing is identified as USDOT 085830N, located at the intersection of 41st Division Drive in Pierce County, and is part of the Point Defiance Bypass project.
- 2 As a condition of approving the crossing signal modifications, the Commission required WSDOT to report to the Commission annually, for a period of three years, on the number of queuing instances over the crossing, and the impacts and effectiveness of the interconnection between the railroad signals and the ramp meter. The required reporting was intended to coincide with new passenger service operations commencing on the Pt. Defiance Bypass route. The reporting period was to begin by July 12, 2016; however, as of that date, service on the new route had not yet begun.
- 3 In Order 02, the Commission granted WSDOT an extension of time until January 31, 2019, to begin reporting, expecting that passenger service would begin in 2018.
- 4 WSDOT filed its first report on April 8, 2019. Passenger service did not operate on the route in 2018 as expected, nor has it operated yet in 2019. According to its report, WSDOT is awaiting the final report and recommendations from the National

Transportation Safety Board investigation into the December 2017 Amtrak derailment on the Pt. Defiance Bypass before returning passenger service to the route.

- 5 WSDOT requested relief from future required reporting until such time as passenger service commences. Commission Staff (Staff) recommends this request be approved.

DISCUSSION

- 1 We agree with Staff's recommendation. We suspend the reporting requirement in Order 01 until such time as passenger service commences on the Pt. Defiance Bypass.

ORDER

THE COMMISSION ORDERS:

- 1 The Commission suspends the requirement for WSDOT to report to the Commission on the number of queuing instances over the crossing, and the impacts and effectiveness of the interconnection between the railroad signals and the ramp meter, until such time as passenger service commences on the Pt. Defiance Bypass route.
- 2 WSDOT must notify Staff when it knows the date passenger service will commence on the route, and work with Staff to determine compliance filing due dates for a three-year reporting period thereafter. The parties must then submit the proposed dates to the Commission for approval.
- 3 The Secretary of the Commission has delegated authority over this matter pursuant to Order 01 in Docket A-180762. The Secretary finds this Order to be consistent with the public interest.

DATED at Olympia, Washington, and effective April 30, 2019.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION



MARK L. JOHNSON, 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 website. 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). RCW 80.01.030 and WAC 480-07-904(2) and (3).

