

**BEFORE THE WASHINGTON  
UTILITIES AND TRANSPORTATION COMMISSION**

BNSF RAILWAY COMPANY,

Petitioner,

CITY OF AUBURN,

Respondent.

DOCKET TR-151862

ORDER 02

ORDER GRANTING PETITION TO  
RECONSTRUCT AND UPGRADE THE  
INTERCONNECTION AT A PUBLIC  
HIGHWAY-RAIL GRADE CROSSING  
AT 3RD STREET NW IN AUBURN

USDOT: 085652E

**BACKGROUND**

- 1 On September 17, 2015, BNSF Railway Company (BNSF or Petitioner) filed a petition with the Washington Utilities and Transportation Commission (Commission) seeking approval to reconstruct a railroad-highway grade crossing at 3<sup>rd</sup> Street NW in the city of Auburn. A revised petition was filed on March 1, 2016. BNSF proposed to add an additional mainline track through the 3<sup>rd</sup> Street NW crossing. The Commission issued Order 01 approving the petition on March 9, 2016.
- 2 On August 12, 2016, BNSF filed a revised petition due to a change in construction plans related to the crossing signals. BNSF is proposing to replace the existing cantilever-mounted signal equipment with shoulder-mounted signal equipment. The change in the type of signal will reduce the footprint needed for the crossing signals, which is important due to the city, Sound Transit and fiber utilities located in the area. BNSF will also relocate a nearby street light and the City of Auburn will relocate advance warning signage for better visibility. These are the only changes BNSF is seeking in the August 12 revised petition; all other aspects of Order 01 remain unchanged.
- 3 The city of Auburn (City) supports the proposed signal modification and consented to entry of an Order by the Commission without further notice or hearing.
- 4 The proposed modifications are in the interest of maintaining safety and convenience for roadway users while facilitating train movements.

**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 proposed reconstruction of a crossing involving a public railroad-highway grade crossing, as defined in RCW 81.53.010.
- 7 (3) RCW 81.53.261 and WAC 480-62-150 require that the Commission grant approval prior to reconstructing a public railroad-highway grade crossing within the state of Washington.
- 8 (4) Commission staff investigated the revised petition and recommends that it be granted. All traffic control devices must comply with all applicable standards specified in the U.S. Department of Transportation *2009 Manual on Uniform Traffic Control Devices.*
- 9 (5) After examination of the revised petition filed by BNSF on August 12, 2016, and giving consideration to all relevant matters and for good cause shown, the Commission grants the revised petition.

**ORDER**

THE COMMISSION ORDERS:

- 10 The petition of BNSF to reconstruct the signals and upgrade the interconnection at a railroad-highway grade crossing at 3<sup>rd</sup> Street NW and the Respondents' tracks in the City of Auburn is granted, as follows:
- (1) The modifications must conform to those described in the revised petition.
  - (2) Traffic control devices must comply with all applicable standards specified in the U.S. Department of Transportation *2009 Manual on Uniform Traffic Control Devices.*
  - (3) Petitioner must notify Commission Staff within 30 days upon completion of this modification project.

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 August 23, 2016.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

A handwritten signature in blue ink that reads "Pat Hazard for". The signature is written in a cursive, flowing style.

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).