BEFORE THE WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

No. TR-041077

PETITION

RECEIVED
JUN 14 2004
WASH. UT. & TP. COMM.

Petitioner
Washington State Department of Transportation

vs.

Union Pacific Railroad
Respondent

Road Name 24th Street

W.U.T.C. Crossing No. 6R 156.75

D.O.T. Crossing No. 396599E

Application is hereby made to the Washington Utilities and Transportation Commission for an order (check one or more of the following)

☑ directing the reconstruction of a grade crossing;
(construction-reconstruction-relocation)

☐ directing installation of automatic grade crossing signal or other warning device (other than crossbucks) at a new crossing;

☐ directing _____ of warning devices at an existing crossings;
(replacement-change-upgrade)

☐ allocating funds from the "grade crossing protective fund" for _____ of active warning devices;
(installation and/or maintenance)

☐ authorizing the construction of the project, funding to be pursuant to the Intermodal Surface Transportation Efficiency Act (ISTEA) in cooperation with the Washington State Department of Transportation Local Programs Division;

at the railroad grade crossing identified above and described in this petition. This application seeks the relief specified above by (check one of the following)

☐ hearing and order ☑ order without hearing

☐ Yes ☑ No Has application for funding, pursuant to Intermodal Surface Transportation Efficiency Act been made to the Local Programs Division for this project?

☐ Yes ☐ No If the answer is yes to the question above, has the funding requested under the Intermodal Surface Transportation Efficiency Act been denied?

I certify under penalty of perjury that the information provided in and with this petition is true and correct.

Petitioner
Dennis Hamblet, P.E. Railroad Liaison
Print Name Title
310 Maple Park
Street Address
Olympia, WA 98506
City-State-Zip Code

RECEIVED
2004 JUN 14 PM 2:25
WASH. UTIL. & TRANSP. COMMISSION

INTERROGATORIES

Use additional paper as needed

[1]

State name of highway and railway at crossing intersection:

Existing or proposed highway 24th Street mile post N/A

Existing or proposed railway Union Pacific mile post 156.75

Located in SW 1/4 of the NW 1/4 of Sec. 12 Twp. 20N Range 4E W.M.

WUTC crossing number 6R 156.75 DOT crossing number 396599E

Street 24th Street (if applicable) City Sumner (if applicable) County Pierce

[2]

Character of crossing (indicate with X or numbers where applicable):

(a) Common Carrier ☑ Logging or Industrial ☐

(b) Main Line ☑ Branch Line ☐ ☐ Siding or Spur ☐

(c) Total number of tracks at crossing One
(Note: A track separated 100 feet or more from another track constitutes a separate crossing.)

(d) Operating maximum train speed: 55 Legal maximum train speed:

Passenger N/A MPH Passenger N/A MPH
Freight 55 MPH Freight 55 MPH

(e) Actual or estimated train traffic in 24 hours:

Passenger Trains 0 Freight Trains 16/day
(Note: Round trip counted as two trains. Include switch movements.)

[3]

Character of Roadway:

(a) State Highway - Classification N/A

(b) County Highway - Classification N/A

(c) City Street - Classification Arterial

(d) Number of traffic lanes existing in each direction: One
Number of additional traffic lanes proposed: Three, 2 G.P. Lanes and 1 TWLWL

(e) Posted vehicle speed limit: Automobiles 35 MPH Trucks 35 MPH

(f) Estimated vehicle traffic in 24 hours: Current total 4075, including 448 trucks and 11 school bus trips. Projected traffic in 20 years: total 26,620, including 2120 trucks and 11 school bus trips.

[4]

(a) If temporary, state for what purpose crossing is to be used and for how long.

N/A

(b) If temporary grade crossing, will you remove the crossing at completion of the activity requiring the temporary crossing?

N/A

[5]

(a) State whether or not a safer location for a grade crossing exists within a reasonable distance in either direction from the proposed point of crossing, and if so, what reason, if any, why this safer location should not be adopted, even though in doing so, it may be necessary to relocate a portion of the highway or railway.

No reasonable option

(b) Are there any hillsides, earth, or other embankments, buildings, trees, orchards, side tracks (on which cars might be spotted), loading platforms, etc., in the vicinity not feasible to move, which may obstruct the view and which can be avoided by relocating the proposed crossing. Would it be practical to do so? Please describe.

No

[6]

(a) Is it feasible to construct and use an over or under crossing at the intersection of said railway and highway? If not, state why.

No. Economics, funding. $6 to 4* Million funding has been sought, unsuccessfully so far.

(b) Does the railway line at any point in the vicinity of the proposed crossing pass over a fill or trestle or through a cut where it is feasible to construct an under or over crossing, even though it may be necessary to relocate a portion of the highway to reach that point?

No

(c) If a suitable place for an under - or over - crossing exists in the vicinity of the proposed crossing, state the distance and direction from the proposed crossing; the approximate cost of construction; and what, if any, reason exists why it should not be constructed.

[7]

(a) State approximate distance to nearest public or private crossing in each direction of railroad involved herein.

South 2.09 miles to Sumner Heights Road, North ½ mile to 16th Street E

(b) If there is an existing crossing in near vicinity, or if more than one crossing is proposed, is it feasible to divert highways served and to be served by existing and proposed crossings, thus eliminating the need for more than once crossing?

No

(c) If so, state approximate cost of highway relocation to effect such changes.

N/A

(d) Will the proposed crossing eliminate the need for one or more existing crossings in the vicinity? If so, state direction and approximate distance to the crossing or crossings.

No

(e) If this crossing is authorized, do you propose to close any existing crossing or crossings?
No

[8]

State the lengths of views which are now available along the line of railway to travelers on the highway when approaching the crossing from either side of the railway and when at points on the highway as follows:

Approaching crossing from.....(direction) an unobstructed view to
right when on highway 300 feet from crossing of 25 feet
right when on highway 200 feet from crossing of 40 feet
right when on highway 100 feet from crossing of 432 feet
right when on highway 50 feet from crossing of 598 feet
right when on highway 25 feet from crossing of unlimited feet
left when on highway 300 feet from crossing of 144 feet
left when on highway 200 feet from crossing of 172 feet
left when on highway 100 feet from crossing of 289 feet
left when on highway 50 feet from crossing of 634 feet
left when on highway 25 feet from crossing of 2600 feet

Approaching crossing from..... (opposite direction) an obstructed view to
right when on highway 300 feet from crossing of 850 feet
right when on highway 200 feet from crossing of 892 feet
right when on highway 100 feet from crossing of 600 feet
right when on highway 50 feet from crossing of 510 feet
right when on highway 25 feet from crossing of 509 feet
left when on highway 300 feet from crossing of 360 feet
left when on highway 200 feet from crossing of 435 feet
left when on highway 100 feet from crossing of 515 feet
left when on highway 50 feet from crossing of 570 feet
left when on highway 25 feet from crossing of 900+ feet

[9]

Attach one or more prints showing a vicinity map and a layout of railway and highway, as well as profiles of each, also showing percent of grade, 500 feet of highway and railway when approaching crossing from all four directions. On the prints, spot and identify obstructions of view located in all four quadrants. Provide a traffic control layout showing the location of the existing and proposed signing of the intersection.

[10]

(a) Is it feasible to provide a 25 foot level grade crossing on both sides from center line of railway at point of crossing?
No, grades of 0.50 and 0.65 used to maintain drainage

(b) If not, state in feet the length of level grade it is feasible to obtain.
6 feet

(c) Is it feasible to obtain an approach grade, prior to the level grade of five percent or less? If not, state why, and state the percent approach grade possible.
Yes

[11]

Do you know of any reason not appearing in any of the answers to these interrogatories why the proposed crossing should not be made at grade or at the point proposed by you? If so, please state same fully.

Interrogatories 12 and 13 are to be completed only if this petition involves installation, replacement or changing of automatic grade signal or other warning device, other than sawbucks.

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[12]

(a) State in detail, the number and type of automatic signals or other warning devices (other than sawbucks) proposed to be installed. (This portion should be filled in only after conference between the railroad and the petitioning local governmental agency.) 6 LED FI Signals w/automatic gates, CWT circuitry and new signal cabinet

(b) State an estimate of the cost for installing the signals or other devices proposed, as obtained from the respondent railroad company. . . $ 273,547

(c) State a cost estimate for maintaining the signals or devices for 12 months, as obtained from the respondent railroad company . . . $ approx. 7500/yr

(d) If this is an existing crossing, what will the proposed warning devices replace in the way of existing devices? Signal lights and gates

(e) As the petitioner, are you prepared to pay or will you promise to pay to the respondent railroad company, your share of the cost of installing the warning devices proposed as provided by law?

☑ Yes ☐ No

Furnish a brief statement of why the public safety requires the installation of the automatic signals or the devices as proposed.

24th Street which crosses the railway will be widened and improved and new SR167 on and off ramps connecting to 24th will be constructed with according traffic increase. The existing gates are inadequate for the sidth of the new roadway. Signals and gates will be upgraded to state of the art. Additionally the grade crossing surface will be renewed with concrete panels.

RESPONDENT'S WAIVER OF HEARING

Docket No. _____

Petition of WASHINGTON STATE DEPARTMENT OF TRANSPORTATION

for RECONSTRUCTION OF A GRADE CROSSING

I have investigated the conditions existing at and in the vicinity of the proposed crossing changes. As a result, [check one or more of the following, as appropriate:]

[ ] I am satisfied that conditions are as represented in the petition and the interrogatories and that the petition should be granted.

[✓] The cost of installation (estimated at $ 273,547.00)

[ ] subject to approval and apportionment pursuant to the Intermodal Surface Transportation Act by the Washington State Department of Transportation Local Programs Division.

[ ] as apportioned between the parties.

[✓] to be paid by petitioner.

Other conditions to waiver of hearing:

The undersigned hereby waives hearing and further notice. The Washington Utilities and Transportation Commission may enter a final order without further notice of hearing.

Date at PORTLAND, ~~Washington~~ OREGON, on this 9TH day of JUNE, 20 04.

Respondent UNION PACIFIC RAILROAD

by _____

Print Name JOHN W. TRUMBULL

Title MANAGER INDUSTRY & PUBLIC PROJECTS

INSTRUCTIONS

General

Petition forms with the Interrogatories fully and correctly answered should be filed with the Washington Utilities and Transportation Commission, Chandler Plaza, 1300 S. Evergreen Park Drive SW, PO Box 47250, Olympia, Washington, 98504. Blank forms may be obtained from the same address. All pleadings herein shall conform with WAC 480-09-420 and 425 of the Commission's Rules and Practice and Procedure.

Number of Copies

File the original and one copy if the "Waiver of Hearing by Respondent" is filled out. If petitioner intends that the Commission serve the respondent, the original and two copies should be filed. If the petitioner serves the respondent, a certificate of service in conformity with the requirements of WAC 480-09-120 of the Commission's Rules of Practice and Procedure must be filed.

Parties Who May Petition or Respond

In general, the following persons may file or respond to a petition: highway authorities (city, county, or state), railroad companies, and state agencies with lawful authority to construct and maintain public highways (RCW 81.53.030 and 060). In situations where there may be more than one party of interest as either a petitioner or a respondent, all parties should be joined.

Waiver of Hearing by Respondent

The proceeding can usually be expedited by submitting the application to the respondent and securing the execution of the "Waiver of Hearing by Respondent." As an alternative, respondent may file a separate "Answer." If the pleadings show that the respondent has no objection, an order may be entered without hearing at the discretion of the Commission, unless the public interest appears to require hearing and unless hearing is required under the terms of RCW 81.53.030 or 060. In all other cases, the petition will be set for hearing.

Crossing Construction

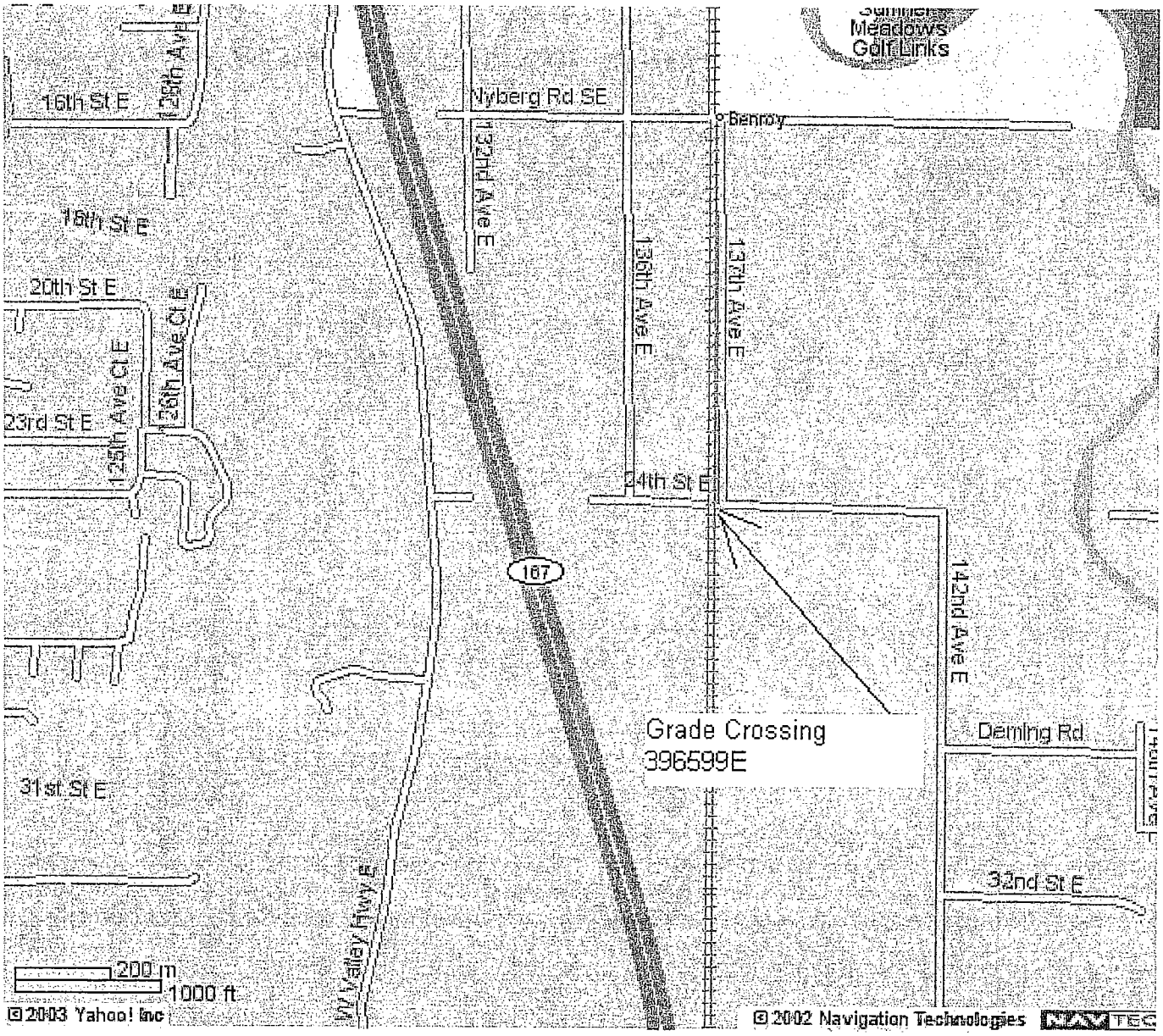
Applications for crossing state highways should be submitted in duplicate to the District Highway Engineer in the locality for his recommendation to be attached and forwarded to the State Department of Transportation Secretary, Olympia.

A party, after having been granted authority by the Commission to construct a crossing, must acquire right of way or easement because the order of the Commission merely relates to public safety and grants only the right to cross, subject to acquiring a right of way easement.

Time for Replying to a Petition

A petition not answered within 20 days of the date of service, shall be deemed denied and may be set for hearing. If a qualified or conditional answer is filed by the respondent, the petitioner may file a "Reply" within 10 days of the date the "Answer" is served.

(PLEASE REMOVE THIS SHEET BEFORE FILING PETITION)


Summit Meadows Golf Links
16th St E
128th Ave E
Nyberg Rd SE
Benroy
16th St E
132nd Ave E
136th Ave E
137th Ave E
20th St E
126th Ave Ct E
125th Ave Ct E
23rd St E
24th St E
167
142nd Ave E
Deming Rd
Grade Crossing
396599E
31st St E
32nd St E
200 m
1000 ft
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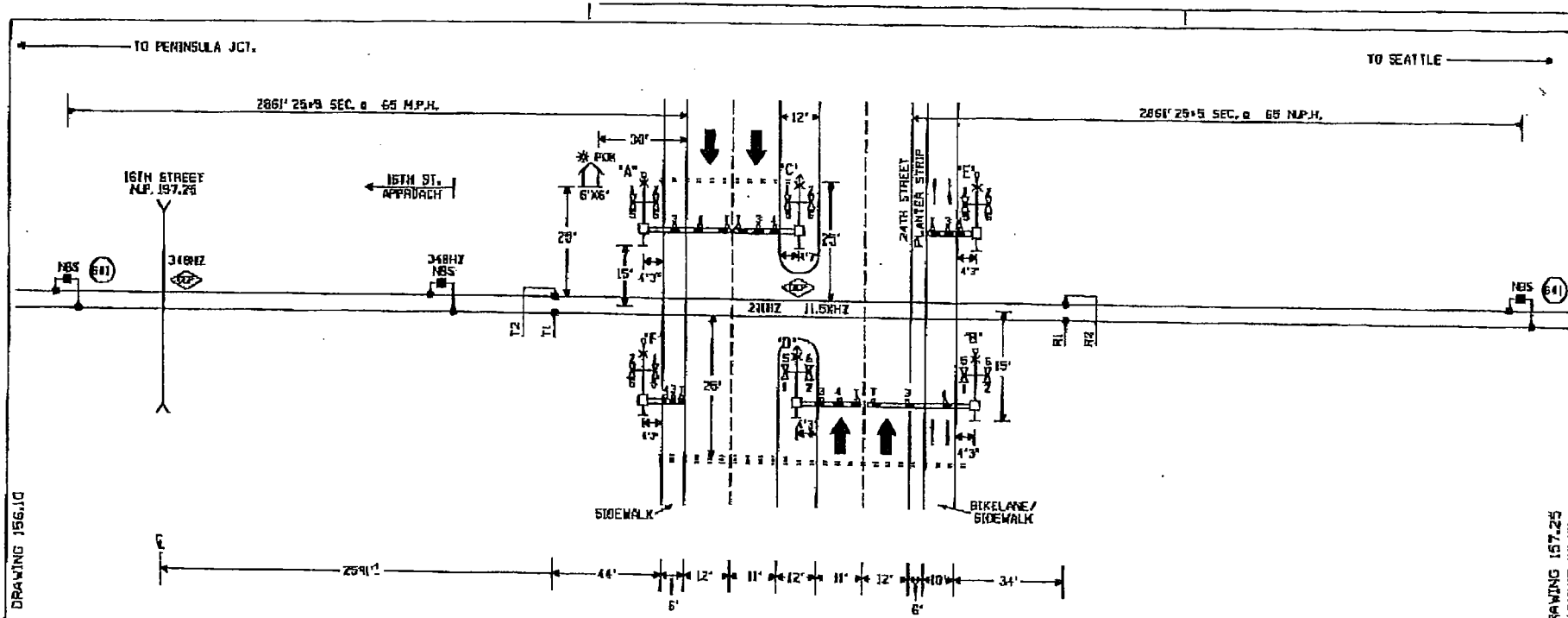


NOTES:

⊗= TWISTED WIRES
INSULATED 1 TWIST PER FT.
ALL TRACK WIRES 2C. #6

TRANSMITTER AND RECEIVER LEADS
TO BE SEPARATED BY AT LEAST 12" IN TRENCH.
LENGTHS SHOULD NOT EXCEED MANUFACTURES
RECOMMENDATION.

TOP OF FOUNDATION TO BE AT SAME ELEVATION
AS THE SURFACE OF THE TRAVELED WAY & NO
MORE THAN 4" ABOVE THE SURFACE OF THE GROUND.

ALL BUNGALOW WIRING TO BE #16 AWG FLEX
UNLESS OTHERWISE SPECIFIED EXCEPT ALL GROUND
WIRE TO BE #6 AWG FLEX OR LARGER.

ALL WIRING IN GATE MECHANISM TO BE #10 "AWG FLEX".

REFER TO UP STANDARD DWG FOR BUNGALOW GROUNDING.

DO NOT USE 7 CELLS OF BIZ BATTERY UNLESS
REQUIRED TO MAINTAIN MINIMUM LAMP VOLTAGE.

ALL LIGHTS TO BE 12" ROUNDELS.

= = = = = = 4" X 150' CONDUIT

LIGHTS: LED LIGHTS

GATE A: 22'
GATE B: 32'
GATE C: 15'
GATE D: 15'
GATE E: 14'
GATE F: 10'
CRTU MICROBURST

CONSTRUCTION NOTES:

1. 348HZ NBS IS EXISTING.
2. REMOVE THREE SPANS OF POLELINE AND PLACE ON APPROX. 500 FT 7C#14 AND 1000 FT 2C#6 U.G. CABLE.
3. INSTALL NEW 125 AMPS METER SERVICE.

SUMNER, WASHINGTON
24TH STREET
N.P. 156.75
SEATTLE SUBDIVISION
D.O.T.#396 599E

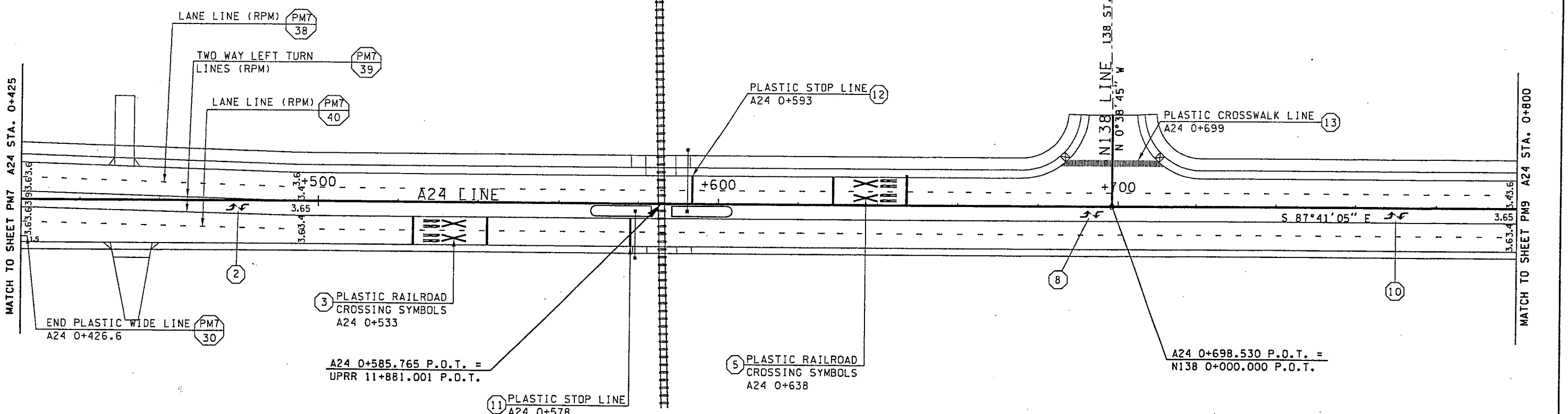
NEW SHEET

						12-26-02 INSTALL FLASHERS AND GATES W/ CWE AT N.P. 156.75 AFE 09359 RLT SSC/JHH	MODIFICATION LEVEL: DA. LAST LEVEL CHKD. 00; LAST LEVEL MOD. THIS TYP. 00; LAST LEVEL BY DESIGNER. DF; CHANGED FROM TYP.? Y/N Y	UNION PACIFIC SIGNAL DESIGN	DES. SSC; DWN. SSC; CHK. RLT; A.F.E. 09359; ID= 307/1567B.IK	UNION PACIFIC RAILROAD SEATTLE, WASHINGTON TO PENINSULA JCT., OREGON C.T.C. CIRCUITS OFFICE OF CHIEF ENGR OMAHA NEBR.	DATE 12-26-02; SHEET 1; DWG 156.75; B-5074

REV. 01.02.28 (CTYP.)

PLOT7 03/18/2003 e:\dgn\SUMNER\Cadd\PSE\P2082PM.DGN JorgenD

T.20N R.4E. W.M.



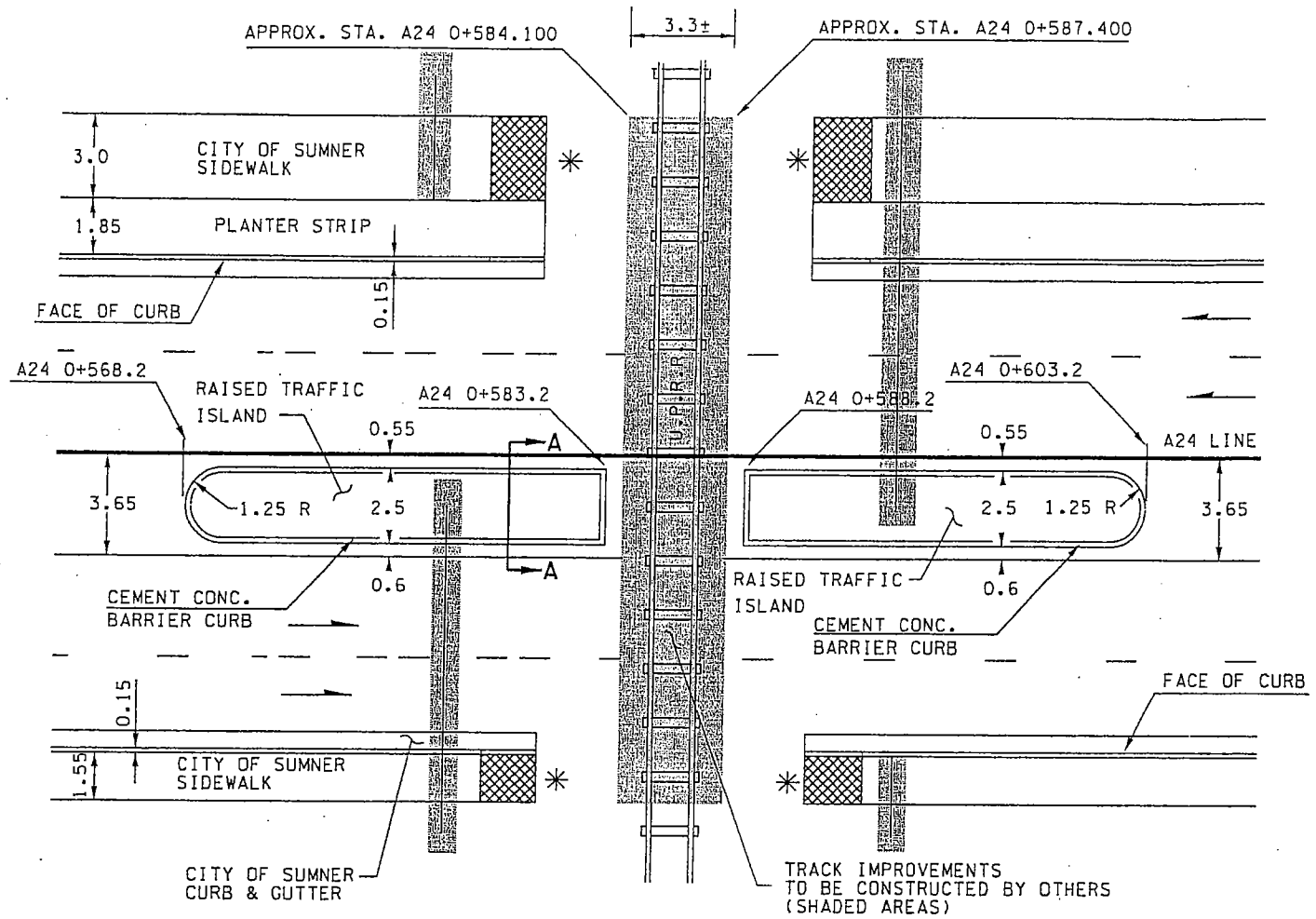
0 10 20 30 40 50
SCALE IN METERS

NOTE:

1. ALL DIMENSIONS ARE IN METERS UNLESS OTHERWISE NOTED.
2. SEE SHEET PM1 FOR LEGEND.

					REGION NO.	STATE	FED.AID PROJ.NO.	PROJECT DEVELOPMENT OFFICE
DESIGNED BY K. BOONE	3/03				10	WASH		NEAL J. CAMPBELL STATE OF WASHINGTON 19822 REGISTERED PROFESSIONAL ENGINEER EXPIRES 05/16/03
ENTERED BY D. JORGENSEN	3/03				JOB NUMBER			Washington State Department of Transportation
CHECKED BY K. SIELBACH	3/03				99C534			SR 167 NORTH SUMNER I/C
PROJ. ENGR. N. CAMPBELL	3/03				CONTRACT NO.			PAVEMENT MARKING
REGIONAL ADM. R. HAIN	3/03							PM8
	DATE	DATE	REVISION	BY				SHEET OF SHEETS

PLOT3 03/16/2003 e:\dgn\SUMNER\Cadd\PSE\P2082PD.DGN JorgenD

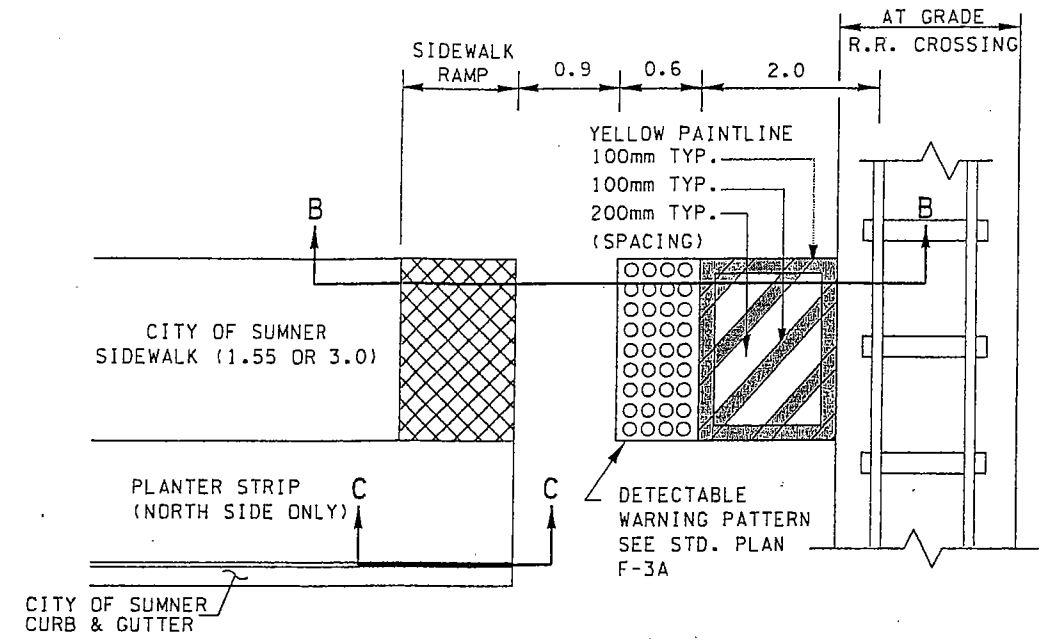


RAISED TRAFFIC ISLAND

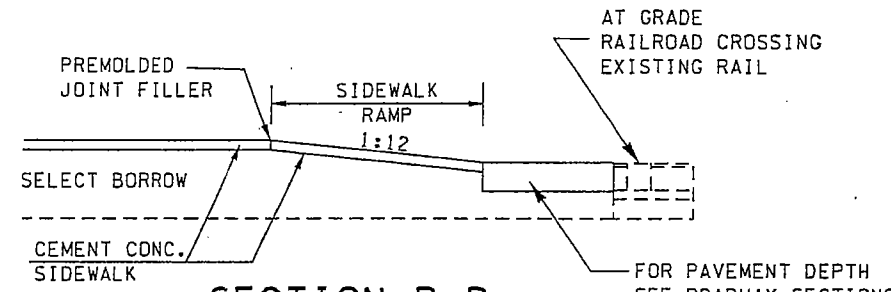
RAILROAD AREA PAVING DETAIL

U.P.R.R. VICINITY

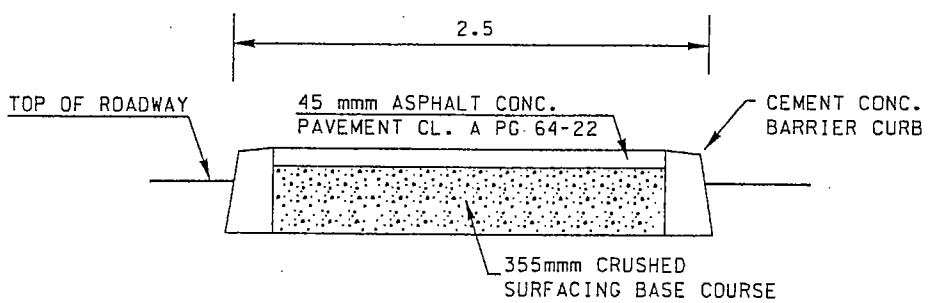
✳SEE "TYPICAL SIDEWALK CROSSING" DETAIL, THIS SHEET



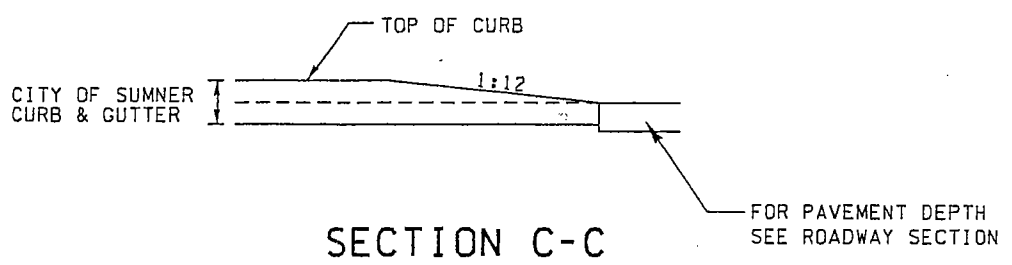
TYPICAL SIDEWALK CROSSING DETAIL



SECTION B-B



SECTION A-A



SECTION C-C

NOTE: ALL DIMENSIONS ARE IN METERS UNLESS OTHERWISE NOTED.

DESIGNED BY K. BOONE	3/03				REGION NO.	STATE	FED.AID PROJ.NO.	PROJECT DEVELOPMENT OFFICE
ENTERED BY D. JORGENSEN	3/03				10	WASH		
CHECKED BY K. SIELBACH	3/03				JOB NUMBER			
PROJ. ENGR. N. CAMPBELL	3/03				99C534			
REGIONAL ADM. R. HAIN	3/03				CONTRACT NO.			
	DATE	DATE	REVISION	BY				

NEAL I. CAMPBELL — STATE OF WASHINGTON — 24003 — REGISTERED PROFESSIONAL ENGINEER — EXPIRES 05/16/03

Washington State Department of Transportation

SR 167
NORTH SUMNER I/C

PAVING DETAILS

PD3

SHEET 128 OF SHEETS

PLOT6 03/16/2003 e:\dgn\SUMNER\Cadd\PSE\P2082PRD.DGN JorgenD

ROADWAY SECTION B | ROADWAY SECTION C | ROADWAY SECTION B

+0.002 LT.
-0.002 RT.
℄ PROFILE GRADE & PIVOT POINT
-0.02 LT. & RT.
-0.03 LT. & RT.

BEGIN SUPER ELEVATION A24 0+583.868
END SUPER ELEVATION A24 0+587.496
END TRANSITION A24 0+607.500
BEGIN TRANSITION A24 0+980.000
MATCH EXISTING A24 0+999.400

+0.4968% | -0.6552% | -0.0066% | -0.5000% | +0.5000%

EVC +574.606 21.492
VPI +583.369 21.515
VPI +587.496 21.539
BVC +603.641 21.457
VPI 0+623.641 21.302
EVC +643.641 21.435
BVC +653.258 21.280
VPI 0+683.258 20.105
EVC +713.258 20.234
EVC +837.500 20.971
BVC +853.500 20.900
EVC +869.600 20.707
BVC +927.227 20.576
VPI 0+947.227 20.261
EVC +967.227 20.218
VPI +999.471 20.044
19.955
19.922
19.822
19.722
19.622
19.522
19.422
19.334
19.323
19.294
19.301
19.334
19.387
19.487
19.587
19.623
19.671
19.683
19.681
19.665
19.623
19.571

EXISTING GROUND

60.000 V.C.
32.000 V.C.
40.000 V.C.

UPRR ℄
N138 ℄
N140 ℄

23 22 21 20 19 18 17 16

0+560 0+600 0+640 0+680 0+720 0+760 0+800 0+840 0+880 0+920 0+960 1+000

COMMON BORROW INCL. HAUL 10,770 m³
ROADWAY EXCAVATION - AREA SURCHARGE 12,070 m³
SEEDING, FERTILIZING & MULCHING 0.58 ha
CLEARING 1.56 ha
EMBANKMENT COMPACTION SURHARGE 3780 m³
EMBANKMENT COMPACTION 8820 m³
SEEDING, FERTILIZING & MULCHING 0.17 ha
CLEARING 0.55 ha
EMBANKMENT COMPACTION 3020 m³
ROADWAY EXCAVATION INCL. HAUL 3510 m³

NOTE:
ALL UNITS ARE IN METERS UNLESS OTHERWISE NOTED.

A24 PROFILE

DESIGNED BY	K. BOONE	3/03				REGION NO.	STATE	FED.AID PROJ.NO.	
ENTERED BY	D. JORGENSEN	3/03				10	WASH		
CHECKED BY	K. SIELBACH	3/03				JOB NUMBER			
PROJ. ENGR.	N. CAMPBELL	3/03				99C534			
REGIONAL ADM.	R. HAIN	3/03				CONTRACT NO.			
		DATE	DATE	REVISION	BY				

NEAL J. CAMPBELL — STATE OF WASHINGTON — 24083 — REGISTERED PROFESSIONAL ENGINEER
EXPIRES 05/16/03

PROJECT DEVELOPMENT OFFICE

Washington State Department of Transportation

SR 167
NORTH SUMNER I/C
ROADWAY PROFILE

RP6

SHEET 36 OF SHEETS