

BEFORE THE WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

In the Matter of the Petition of)	
)	
THE BURLINGTON NORTHERN)	DOCKET NO. TR-001375
AND SANTA FE RAILWAY CO.)	
)	
for Exemption From Close Clearance Rules)	ORDER GRANTING PETITION
)	FOR EXEMPTION FROM
)	CLEARANCE RULES
)	
.....))	

BACKGROUND

On September 7, 2000, The Burlington Northern and Santa Fe Railway Co. (Railroad) filed a petition requesting an exemption from the side clearance rules in WAC 480-60-050 to construct a temporary fence at the proposed Sound Transit station to be located at Sumner, Washington. The station will be immediately south of Maple Street between Mile Post 28.9X and 29.2X.

DISCUSSION

Staff investigated this petition. The station is needed for Sound Transit to operate effectively. A fence is needed between the two main line tracks to prevent passengers from walking across the tracks at unsafe locations. Although the distance between the tracks will be widened, they are currently not far enough apart to accommodate a fence that complies with the side clearance rules. Clearance from the easterly track is within the rules; however, clearance from the westerly track will be 8 feet rather than the required 8 feet 6 inches.

Switching does not occur within the area where the fence is located. Employees should not ride the sides of trains in the area. So long as signs are posted on the fence indicating the close clearance, and the timetable contains notice of the close clearance, a safety problem should not arise.

Staff recommends the petition be approved.

FINDINGS

The Commissioners have reviewed the petition and have been fully advised in the matter. They believe that granting the petition, subject to the conditions set forth below, is in the public interest, and direct the Secretary to issue the Order.

ORDER

The Commission grants the petition of the railroad for an exemption from side clearance rules set forth in WAC 480-60-050 for a fence installed at the Sound Transit station in Sumner, Washington on the following conditions:

1. Signs warning employees of the close side clearance must be maintained at each end of the fence.
2. The Burlington Northern and Santa Fe Railway Co. timetable or Superintendent's Bulletin must include notice of the close side clearance.

Dated at Olympia, Washington, and effective this day of April, 2001.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

CAROLE J. WASHBURN, Secretary