

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

THURSTON COUNTY,)	DOCKET NO. TR-040527
)	
Petitioner,)	ORDER NO. 01
)	
v.)	ORDER GRANTING PETITION TO
)	UPGRADE RAILROAD WARNING
THE PUGET SOUND AND)	DEVICES AT OLD HIGHWAY 99 SE
PACIFIC RAILROAD COMPANY,)	
)	USDOT: 092565T
Respondent.)	WUTC: 40D 6.07
.....)	

BACKGROUND

- 1 On March 19, 2004, Thurston County filed a petition with the Commission, seeking approval to upgrade warning devices at a railroad-highway grade crossing. The crossing is located at the intersection of Old Highway 99 SE and tracks of the Puget Sound and Pacific Railroad Company, in the NW ¼ of the SW ¼ of Section 13, Township 15 N., Range 3 W., W.M., in Thurston County, Washington. Funding for the upgrades is pursuant to the Inter-modal Surface Transportation Efficiency Act, in cooperation with the Washington State Department of Transportation.
- 2 Respondent has consented to an entry of an Order by the Commission without further notice or hearing.
- 3 In the vicinity of the crossing, Old Highway 99 SE is classified as a rural collector road, with one lane for each direction of traffic and a vehicle speed limit of 40 mph. The roadway crosses the tracks at an acute angle, and sight distance at the crossing is obscured by vegetation in all of the crossing’s quadrants. Average daily traffic through the crossing is estimated at 7,730 vehicles, including 230 trucks and 52 school bus trips. Average daily traffic through the crossing is estimated to reach 14,000 by 2004.

4 Petitioner maintains one mainline track through the crossing. Average daily
train traffic includes six freight trains, traveling at a maximum speed of 25 mph.
5 Warning devices at the crossing consist of shoulder-mounted signals. Petitioner
seeks to replace the existing equipment with cantilever-mounted signals with
gates. The proposal also includes installing constant warning train detection
circuitry due to frequent switching activity to the northeast of the crossing. The
upgrades are proposed in the interest of improving safety for roadway users.

FINDINGS AND CONCLUSIONS

- 6 (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.*
- 7 (2) The Old Highway 99 SE grade crossing, identified as USDOT 092565T, is a
public railroad-highway grade crossing within the state of Washington.
- 8 (3) RCW 81.53.261 requires that the Commission grant approval prior to any
changes in the method and manner of traffic control at public railroad-
highway grade crossings within the state of Washington.
- 9 (4) Commission Staff investigated the petition and recommended that it be
granted, subject to specified conditions.
- 10 (5) This matter was brought before the Commission at its regularly scheduled
meeting on April 14, 2004.
- 11 (6) After examination of the petition filed by Thurston County on March 19,
2004, and giving consideration to all relevant matters and for good cause
shown, the Commission grants the petition.

ORDER

THE COMMISSION ORDERS:

- 12 The petition of Thurston County to upgrade warning devices at a railroad-highway grade crossing, located at the intersection of Old Highway 99 SE and the tracks of the Puget Sound and Pacific Railroad Company, in Thurston County, Washington, is granted, subject to the following conditions:
- (1) The upgrades must conform to the plans filed in this proceeding.
 - (2) Traffic control devices must comply with all applicable standards specified in the U.S. Department of Transportation *Manual on Uniform Traffic Control Devices*.
 - (3) Traffic control devices and instrument housing must be installed in such a manner as to provide required clearances from both the roadway and railroad tracks.
 - (4) Upon completion of the upgrades 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 RCW 81.53.261, directed the Secretary to enter this Order.

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DATED at Olympia, Washington, and effective this 14th day of April, 2004.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

CAROLE J. WASHBURN, Secretary