

BEFORE THE WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

The Washington State	)	DOCKET NO. TR-
Department of Transportation	)	PETITION FOR RECONSTRUCTION OF A
	)	HIGHWAY-RAIL GRADE CROSSING
Petitioner,	)	
	)	
vs.	)	WUTC CROSSING NO.
	)	
The BNSF Railway Company	)	
	)	USDOT CROSSING NO. 927529J
Respondent.	)	
.	)	

Petition is hereby made to the Washington Utilities and Transportation Commission for an order authorizing the reconstruction of a grade crossing at the crossing identified above and described in this petition:

1. Identifying information for the crossing

- a. Existing roadway: Freya Way
- b. Existing railway: BNSF Railway – Conoco Spur
- c. WUTC Crossing Number:
- d. USDOT Number: 927529J

2. Character of rail line

- a. Is this a main line, branch line, siding or spur? Industry Spur
- b. Do passenger trains use the crossing? NO
- c. Legal maximum speed for passenger and/or freight trains: 5 MPH
- d. Actual or estimated train traffic in 24 hours:

There is currently only one rail across roadway, and no train traffic. The possibility of one round trip exists after the track is restored to operating condition.

- e. Note any significant changes to the information in a. through d. expected within ten years: Potentially more train traffic in the future

3. Character of Roadway

- a. Government agency responsible for maintaining the road:

Spokane County is the road authority at this location, however WSDOT and the County have entered into a turn-back agreement, designating WSDOT as the road authority until that portion of the road is formally turned back to Spokane County upon project completion.

- b. Number of traffic lanes in each direction: One

- c. Number of traffic lanes in each direction that would exist after the project completion: Northbound: One lane / Southbound: Two lanes

- d. Posted vehicle speed limit for cars and trucks: 35 mph

- e. Estimated vehicle traffic in 24 hours: 12,700

- f. Is the crossing part of a truck route? Not a designated truck route, but trucks do cross frequently.

- g. Is the crossing part of a school bus route? Yes

- f. Note any significant changes to the information in a. through f. expected within ten years: None at this time

4. Type (e.g. wood plank, concrete, asphalt) and length of the current crossing surface: Currently 45 foot asphalt surface. Project will result in a 64 foot concrete surface.

5. Project description and justification:

Freya is being widened at this location as part of the larger US-395 (North Spokane Corridor) construction project. The project will result in two southbound lanes, one northbound lane, and raised medians between opposing lanes on either side of the tracks. Warning devices proposed for the project are shoulder-mounted flashing lights with gates, and an additional median gate to cover the innermost southbound lane. A sidewalk will also be constructed along the east side of Freya, and will be located along the back side of the signals. Specific information regarding the proposed crossing configuration is as indicated on the attached plan sheets.

6. Existing warning system

Crossing is currently passive. A locked gate to the Conoco facility (which is served by the spur track) is located on the east side of the crossing, thereby requiring trains to stop west of the crossing, open the gate, and proceed into the facility.

7. How would the project affect warning devices at the crossing?

Warning devices would be upgraded to signal with gates. Motion sensing circuitry would be installed to minimize impact of switching operations just east of Freya.

*****There is a possibility of the newly widened roadway being opened to the public prior to installation of the active warning devices. If this occurs, WSDOT has agreed to install and maintain any passive warning devices necessary during this interim period, and trains would be flagged across the roadway by BNSF crews. There has not been train traffic at this crossing for the past five years, and there is no planned increase in train traffic. Although a train entering the crossing prior to the installation of active warning devices is not probable, it is possible. If there is an interim period without active warning devices, it is estimated to last less than six months.**

8. Drawings. Sketches drawn to scale are attached accurately showing the current and proposed layout of the highway (including shoulders, sidewalks, lanes of travel, bike lanes and crossing warning devices), of the crossing surface and of the railway in the vicinity of the crossing. If highway grades will be changed, sketches drawn to scale accurately displaying the existing and proposed highway profile for 50 feet on each side of the crossing should also be attached.

I certify under penalty of perjury that the foregoing is true and correct.

Dated at Olympia, Washington this 12th day of April, 2007.

Petitioner:

Washington State Dept. of Transportation

By: 
Ahmer Nizam

For: Tom Swafford
Utilities, Railroad, and Agreements Mgr.
PO Box 47329,
Olympia, WA 98504-7329

WAIVER OF HEARING BY RESPONDENT

The respondent has investigated the conditions existing at and in the vicinity of the grade crossing described herein and is satisfied that such conditions are substantially as described in the petition. Respondent consents to the modification of the crossing surface. Hearing in this proceeding is hereby waived.

Dated at _____, Washington, on the _____ day of _____, 2007.

Respondent:

By:

(Address)

INSTRUCTIONS

Petitioner can be the railroad, the road authority or the Washington Utilities and Transportation Commission. If the railroad is the petitioner, the road authority will be the respondent. If the road authority is the petitioner, the railroad will be the respondent.

The original and two copies of the petition must be filed with the Washington Utilities and Transportation Commission.

If the waiver of hearing is executed, the petition will be investigated and a decision made within approximately two weeks from receipt of the documents.

If the waiver of hearing is not executed on the petition filed, a copy of the petition will be served upon the respondent by the Commission for answer within 20 days. Upon receipt of respondent's answer or after the 20 day period has elapsed, the application will be processed. Time for making a decision will depend on whether an answer is filed and the content of the answer.