

**BEFORE THE WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION**

In the Matter of the Petition of

CITY OF MONROE,

Petitioner,

BNSF RAILWAY COMPANY,

Respondent.

DOCKET TR-190081

ORDER 02

GRANTING PETITION TO MODIFY
WARNING DEVICES AT A PUBLIC
HIGHWAY-RAIL GRADE CROSSING
AT KELSEY STREET IN MONROE

USDOT: 084565X

BACKGROUND

- 1 On February 4, 2019, the City of Monroe (City or Petitioner) filed with the Washington Utilities and Transportation Commission (Commission) a petition seeking approval to modify warning devices at a railroad-highway grade crossing located at Kelsey Street, identified as USDOT 084565X. The City filed a revised petition on May 14, 2019.
- 2 Respondent BNSF Railway Company (BNSF) consented to entry of an Order by the Commission without further notice or hearing.
- 3 Kelsey Street is a two-lane road with a posted vehicle speed limit of 25 miles per hour. Average annual daily traffic through the crossing is estimated at 14,250 vehicles. Kelsey Street is part of an established school bus route with four school buses traveling over the crossing daily. Kelsey Street is not part of an established truck route.
- 4 Warning devices at the Kelsey Street crossing consist of advance warning signs, crossbucks, and cantilever-mounted lights and gates. BNSF operates 22 freight trains over this single mainline track crossing daily at 45 miles per hour. Two passenger trains travel over the crossing daily at 45 miles per hour.
- 5 The City is revising the channelization on Kelsey Street to one southbound lane and two northbound lanes. BNSF will replace the existing gate arms with adjusted lengths to accommodate the roadway modifications. The City will install six-inch, non-mountable median barriers on the crossing approaches, painted yellow, with 36" tall delineators, for

60 feet south of the crossing and approximately 105 feet north of the crossing. The City will also refresh pavement markings.

- 6 Commission staff (Staff) has investigated the petition and recommends that it be granted subject to the following conditions: (1) the modifications must conform to those described in and attached to the petition, (2) traffic control devices must comply with all applicable standards specified in the U.S. Department of Transportation Manual on Uniform Traffic Control Devices, and (3) upon completion of the modifications authorized herein, the City of Monroe must notify the Commission with 60 days. Acceptance of the changes is subject to inspection by Staff, verifying that the crossing is in full compliance with applicable laws, regulations, and the conditions specified herein.

DISCUSSION

- 7 RCW 81.53.261 requires that the Commission grant approval prior to modifying a public railroad-highway grade crossing within the state of Washington. We find that the proposed modifications will improve overall safety for roadway users. Accordingly, the Commission grants the petition subject to the conditions that Staff recommends.

FINDINGS AND CONCLUSIONS

- 8 (1) The Commission is an agency of the State of Washington having jurisdiction over public railroad-highway grade crossings within the state of Washington.
- 9 (2) The Kelsey Street grade crossing, identified as USDOT 084565X, is a public railroad-highway grade crossing within the state of Washington.
- 10 (3) RCW 81.53.261 requires that the Commission grant approval prior to modifying a public railroad-highway grade crossing within the state of Washington. See also 480-62-150.
- 11 (4) Staff investigated the petition and recommends that it be granted with the conditions set out in paragraph 6, above.
- 12 (5) After examination of the petition filed by the City on February 4, 2019, as revised on May 14, 2019, and giving consideration to all relevant matters and for good cause shown, the Commission grants the petition.

O R D E R

THE COMMISSION ORDERS:

13 The City of Monroe's petition to modify a railroad-highway grade crossing located at Kelsey Street is granted. Approval of the petition is subject to the following conditions:

- (1) The modifications must conform to those described in and attached to the petition.
- (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) Upon completion of the modifications authorized herein, the City of Monroe must notify the Commission within 60 days. Acceptance of the changes is subject to inspection by Staff, verifying that the crossing is in full compliance with applicable laws, regulations, and the conditions specified herein.

The Secretary of the Commission has delegated authority over this matter pursuant to Order 01 in Docket A-180762. The Secretary finds this Order to be consistent with the public interest.

DATED at Olympia, Washington, and effective May 21, 2019.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION



MARK L. JOHNSON, Executive Director and Secretary

NOTICE TO PARTIES: This is an order delegated to the Executive Secretary for decision. As authorized in WAC 480-07-904(3), you must file any request for Commission review of this order no later than 14 days after the date the decision is posted on the Commission's website.

