## BEFORE THE WASHINGTON STATE UTILITIES AND TRANSPORTATION COMMISSION

THE CITY OF OTHELLO,	)	DOCKET NO. TR-040584
WASHINGTON	)	
	)	ORDER NO. 01
Petitioner,	)	
	)	
v.	)	
	)	
THE BURLINGTON NORTHERN	)	ORDER GRANTING PETITION TO
SANTA FE RAILWAY	)	CONSTRUCT A NEW RAILROAD-
COMPANY,	)	HIGHWAY GRADE CROSSING AT
	)	SCOOTNEY STREET (INDUSTRIAL
Respondent.	)	SPUR CROSSING)
	)	
BACKGROUND		

- I On March 29, 2004, the city of Othello, Washington filed a petition with the Commission, seeking approval to construct a new railroad-highway grade crossing. The crossing would be located at the intersection of the proposed Scootney Street extension and tracks of the Burlington Northern Santa Fe Railway Company (BNSF), in the NE ¼ of the NE ¼ of Section 4, Township 15 N., Range 29 E., W.M., in Othello, Washington.
- 2 BNSF, as owner of the rail line, is named as the respondent in this proceeding. Respondent has consented to an entry of an Order by the Commission without further notice or hearing under the condition that a private at-grade crossing, known as the Moon Street crossing and located approximately ¼ mile south of the proposed Scootney Street crossing, be closed once the Scootney Street crossing is constructed.
- 3 The proposal is related to a plan by the city of Othello to extend a portion of Scootney Street to access the site of future industrial developments. Scootney Street runs East-West and currently dead-ends at the BNSF tracks. The proposal involves extending the road to the west and necessitates crossing two separate BNSF tracks: The spur track and a main track, located approximately 120 feet

apart. The petition to construct a new at-grade crossing at the separate main track is docketed under TR-031699. The crossings would constitute the only legal access to the future development area.

- In the vicinity of the proposed crossing, Scootney Street will be classified as an industrial access road with one lane for each direction of traffic, and a vehicle speed limit of 25 mph. The roadway would intersect the BNSF tracks at a slightly obtuse angle. Scootney Street's eastbound approach to the crossing would include a 4% roadway grade, until it levels off approximately 25 feet west of the tracks.
- 5 Average daily traffic through the crossing after the construction of the Scootney Street extension is estimated at 200 vehicles, including 100 trucks.
- 6 Respondent maintains one spur track at the proposed crossing location. Rail operations in the vicinity of the crossing consist primarily of switching activities. Train traffic averages 2 trains per day, traveling at a maximum timetable speed of 10 mph.
- Sight distance of approaching trains would be obscured by a loading dock and building in the proposed crossing's southeast quadrant. The structure is located approximately 30 feet from the tracks and 30 feet from the edge of the proposed roadway. The sight distance deficiency applies to westbound traffic approaching the crossing only. Sight distance from a stopped position is adequate, and sight distance is clear in all other quadrants. Because of the sight obstruction, petitioner proposes installing a Stop sign at the crossing, along with standard Crossbucks and advance warning signs.

## FINDINGS AND CONCLUSIONS

- 8 (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.*
- 9 (2) The proposed Scootney Street at-grade crossing would constitute a public railroad-highway grade crossing, as defined under RCW 81.53.010.
- RCW 81.53.030 requires that the Commission grant approval prior to the construction of public railroad-highway grade crossings within the state of Washington.
- (4) Commission Staff investigated the petition and recommended that it be granted, subject to specified conditions.
- (5) This matter was brought before the Commission at its regularly scheduled meeting on June 23, 2004.
- (6) After examination of the petition filed by the city of Othello on March 29,
  2004, 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:

- 14 The petition of the city of Othello to construct a railroad-highway grade crossing, located at the intersection of Scootney Street and the tracks of the Burlington Northern Santa Fe Railway Company (industrial spur track), in Othello, Washington, is granted, subject to the following conditions:
  - (1) The construction must conform to the plans filed in this proceeding.

- (2) The crossing must be hard-surfaced between the rails, and for a distance of one foot outside each rail for the full width of the traveled roadway, including the shoulders.
- (3) The roadway grade must be level with the plane created by the rails for a distance of 25 feet on either side of the railroad centerline.
- (4) The city of Othello must install and maintain Stop signs at the crossing.
- Traffic control devices, including passive signs and markings, must comply with all applicable standards specified in the U.S.
   Department of Transportation *Manual on Uniform Traffic Control Devices*.
- (6) Upon completion of the construction authorized herein, petitioner must notify the Commission. The crossing is subject to inspection by Commission Staff, verifying that it is in full compliance with applicable laws, regulations, and the conditions specified herein.
- (7) According to the condition specified in the Respondent Waiver of Hearing, and agreed to between the city of Othello and BNSF, the private crossing identified as the Moon Street grade crossing must be closed prior to opening the Scootney Street grade crossing to the public.

The Commissioners, having determined that this filing complies with the requirements of RCW 81.53.030, directed the Secretary to enter this Order.

DOCKET NO. TR-040584 ORDER NO. 01

DATED at Olympia, Washington, and effective this 23<sup>rd</sup> day of June, 2004.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

CAROLE J. WASHBURN, Secretary