

**BEFORE THE WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION**

In the Matter of the Petition of

SPOKANE COUNTY,

Petitioner,

BNSF RAILWAY COMPANY,

Respondent.

DOCKET TR-200438

ORDER 01

GRANTING PETITION TO MODIFY
WARNING DEVICES AT A PUBLIC
HIGHWAY-RAIL GRADE
CROSSING AT ESPANOLA ROAD
IN SPOKANE COUNTY

USDOT: 058645X

BACKGROUND

- 1 On May 14, 2020, Spokane County (County or Petitioner) filed with the Washington Utilities and Transportation Commission (Commission) a petition (Petition) seeking approval to modify warning devices at a railroad-highway grade crossing located at Espanola Road in Spokane County, identified as USDOT 058645X.
- 2 Respondent BNSF Railway Company (BNSF) consented to entry of a Commission order without further notice or hearing.
- 3 Espanola Road is a two-lane roadway with a posted vehicle speed limit of 45 miles per hour. Average annual daily traffic through the crossing is estimated at 569 vehicles. Espanola Road is part of an established school bus route with up to three school buses traveling over the crossing every school day. Espanola Road is also part of an established truck route with approximately 25 percent commercial vehicle traffic.
- 4 Warning devices at the Espanola Road crossing consist of advance warning signs, crossbucks, and mast-mounted lights. BNSF operates up to 12 freight trains per day over this single mainline track crossing at up to 65 miles per hour. Two passenger trains travel over the crossing per day at 70 miles per hour.
- 5 As part of this project:
 - BNSF will install crossing gates, LED lights, and constant warning train detection.

- The County will install guardrails to shield the railroad equipment, and update signs and markers.

6 These improvements are funded by the United States Department of Transportation, Federal Highway Administration, Railway-Highway Crossings (Section 130) program and will improve the overall safety of the crossing.

7 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) the County must notify the Commission within 60 days upon completion of the modifications authorized herein. 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

8 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

- 9 (1) The Commission is an agency of the State of Washington having jurisdiction over public railroad-highway grade crossings within the state of Washington.
- 10 (2) The Espanola Road grade crossing, identified as USDOT 058645X, is a public railroad-highway grade crossing within the state of Washington.
- 11 (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.
- 12 (4) Staff investigated the Petition and recommends that it be granted with the conditions set out in paragraph 7, above.
- 13 (5) After examining the Petition filed by the County on May 14, 2020, and giving consideration to all relevant matters and for good cause shown, the Commission grants the Petition.

ORDER

THE COMMISSION ORDERS:

- 14 Spokane County's Petition to modify warning devices at a railroad-highway grade crossing located at Espanola Road is 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.
 - (3) Spokane County must notify the Commission within 60 days upon completion of the modifications authorized herein. 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.
- 15 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 Lacey, Washington, and effective May 28, 2020.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

/s/ Mark L. Johnson
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.