

**BEFORE THE WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION**

In the Matter of the Petition of

SPOKANE COUNTY,

Petitioner,

UNION PACIFIC RAILROAD
COMPANY,

Respondent.

DOCKET TR-200447

ORDER 01

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

USDOT: 662535B

BACKGROUND

- 1 On May 18, 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 Wellesley Avenue in Spokane County, identified as USDOT 662535B.
- 2 Respondent Union Pacific Railroad Company (UPRR) consented to entry of a Commission order without further notice or hearing.
- 3 Wellesley Avenue is a two-lane roadway with a posted vehicle speed limit of 35 miles per hour. Average annual daily traffic through the crossing is estimated at 3,193 vehicles. Wellesley Avenue is part of an established school bus route with 10 school buses traveling over the crossing every school day. Wellesley Avenue is not part of an established truck route.
- 4 Warning devices at the Wellesley Avenue crossing consist of advance warning signs, crossbucks, and cantilever and mast-mounted lights. UPRR operates nine freight trains per day over this single mainline track crossing at up to 50 miles per hour. No passenger trains travel over the crossing.
- 5 As part of this project:
 - UPRR will install gates, bells and supporting railroad equipment.

- The County will install curbing and right-turn only raised traffic channelization on Railroad Avenue. The County will also refresh signage and pavement markings.

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 Wellesley Avenue grade crossing, identified as USDOT 662535B, 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 18, 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 Wellesley Avenue 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 June 3, 2020.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

/s/ Mark L. Johson
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.