

**BEFORE THE WASHINGTON STATE  
UTILITIES AND TRANSPORTATION COMMISSION**

THE BURLINGTON NORTHERN	)	DOCKET NO. TR-031877
SANTA FE RAILWAY	)	
COMPANY,	)	ORDER NO. 01
	)	
Petitioner,	)	
	)	ORDER GRANTING PETITION TO
v.	)	UPGRADE RAILROAD WARNING
	)	DEVICES AT AVERY ROAD
KLICKITAT COUNTY	)	
	)	USDOT: 090184X
Respondent.	)	WUTC: 3A 102.50
.....	)	

**BACKGROUND**

- 1 On November 18, 2003, The Burlington Northern Santa Fe Railway Company filed a petition with the Commission, seeking approval to upgrade warning devices at a railroad-highway grade crossing. The crossing is located at the intersection of Avery Road and the petitioner’s tracks, in the NW ¼ of the NE ¼ of Section 15, Township 2 N., Range 14 E., W.M., in Klickitat County, Washington. Funding for the upgrades is pursuant to the Inter-modal Surface Transportation Efficiency Act, in cooperation with the Washington State Department of Transportation.
- 2 Respondent has consented to an entry of an Order by the Commission without further notice or hearing.
- 3 In the vicinity of the crossing, Avery Road is classified as a local access road, with one lane for each direction of traffic and a vehicle speed limit of 25 mph. The crossing is located within a roadway curve that limits motorists’ ability to see approaching trains. Average daily traffic through the crossing is estimated at 135 vehicles, including 20 trucks. This number increases periodically during the year due to the crossing providing access to a boat launch site at the Columbia River.

4 Petitioner maintains one mainline track through the crossing. Average daily train traffic includes 23 freight trains and two passenger trains, traveling at a maximum speed of 60 mph and 70 mph respectively.

5 Warning devices at the crossing consist of shoulder-mounted flashing lights. Petitioner seeks to install new shoulder-mounted flashing light signals with gates. The upgrades are proposed in the interest of improving safety for roadway users.

### FINDINGS AND CONCLUSIONS

6 (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.*

7 (2) The Avery Road grade crossing, identified as USDOT 090184X, is a public railroad-highway grade crossing within the state of Washington.

8 (3) RCW 81.53.261 requires that the Commission grant approval prior to making changes in the method and manner of traffic control at public railroad-highway grade crossings within the state of Washington.

9 (4) Commission Staff investigated the petition and recommended that it be granted, subject to specified conditions.

10 (5) This matter was brought before the Commission at its regularly scheduled meeting on December 31, 2003.

11 (6) After examination of the petition filed by the Burlington Northern Santa Fe Railway Company on November 18, 2003, and giving consideration to all relevant matters and for good cause shown, the Commission grants the petition.

## ORDER

### THE COMMISSION ORDERS:

12 The petition of the Burlington Northern Santa Fe Railway Company to upgrade warning devices at a railroad-highway grade crossing, located at the intersection of Avery Road and the petitioner's tracks, in Klickitat County, Washington, is granted, subject to the following conditions:

- (1) The upgrades must conform to the plans filed in this proceeding.
- (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) Traffic control devices and instrument housing must be installed in such a manner as to provide required clearances from both the roadway and railroad tracks.
- (4) Upon completion of the upgrades authorized herein, petitioner must notify the Commission. Acceptance of the changes is subject to inspection by Commission Staff, verifying that the crossing is in full compliance with applicable laws, regulations, and the conditions specified herein.

The Commissioners, having determined that this filing complies with the requirements of RCW 81.53.261, directed the Secretary to enter this Order.

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DATED at Olympia, Washington, and effective this 31<sup>st</sup> day of December, 2003.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

CAROLE J. WASHBURN, Secretary