

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

TACOMA RAIL,)	DOCKET NO. TR-040295
)	
Petitioner,)	ORDER NO. 01
)	
v.)	ORDER GRANTING PETITION TO
)	UPGRADE WARNING DEVICES AT
THE WASHINGTON STATE)	A RAILROAD-HIGHWAY GRADE
DEPARTMENT OF)	CROSSING
TRANSPORTATION,)	
)	USDOT: 396749K
Respondent.)	WUTC: 20H 47.20
.....)	

BACKGROUND

- 1 On February 17, 2004, Tacoma Rail 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 the petitioner’s tracks and Tilley Road (SR-121), in the NE ¼ of the SE ¼ of Section 3, Township 16 N., Range 2 W., W.M., in Thurston 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 Although the crossing was previously equipped with flashing light signals, operation of the signals do not conform to federal operating standards. As a result, the Federal Railroad Administration (FRA) currently requires that all trains stop prior to entering the crossing and proceed only after a flagger determines that it is safe to do so. The FRA requirement is applicable until the signals at the Tilley Road crossing are repaired or replaced.

- 4 In the vicinity of the crossing, Tilley Road is classified as an arterial roadway, with one lane for each direction of traffic and a vehicle speed limit of 50 mph. Average daily traffic through the crossing is estimated at 3,000 vehicles.
- 5 Petitioner maintains one main track through the crossing. Average train traffic across Tilley Road is estimated at two trains per day. Although the FRA currently requires crews to stop and flag all trains across the Tilley grade crossing, the maximum timetable speed through the crossing is 20 mph.
- 6 Petitioner seeks to upgrade the signals at the crossing by installing new cantilever-mounted signals with gates and upgrading the train detection circuitry.

FINDINGS AND CONCLUSIONS

- 7 (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.*
- 8 (2) The Tilley grade crossing, identified as USDOT 396749K, is a public railroad-highway grade crossing within the state of Washington.
- 9 (3) RCW 81.53.261 requires that the Commission grant approval prior to any changes in the method and manner of traffic control at public railroad-highway grade crossings within the state of Washington.
- 10 (4) Commission Staff investigated the petition and recommended that it be granted, subject to specified conditions.
- 11 (5) This matter was brought before the Commission at its regularly scheduled meeting on March 12, 2004.

- 12 (6) After examination of the petition filed by Tacoma Rail on February 17, 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:

- 13 The petition of Tacoma Rail to upgrade warning devices at a public railroad-highway grade crossing, located at the intersection of Tilley Road (SR-121) and the petitioner's tracks, in Thurston County, Washington, is granted, subject to the following conditions:

- (1) The upgrades must conform to the specifications 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.

DOCKET NO. TR-040295
ORDER NO. 01

PAGE 4

DATED at Olympia, Washington, and effective this 12th day of March, 2004

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

CAROLE J. WASHBURN, Secretary