

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

In the Matter of the Petition of)	DOCKET NO. TR-051841
)	
PALOUSE RIVER AND COULEE)	ORDER NO. 01
CITY RAILROAD)	
)	
Petitioner,)	
)	ORDER GRANTING EXEMPTION
Requesting Exemption From WAC)	FROM WAC 480-62-230(2), TRAFFIC
480-62-230(2))	CONTROL DEVICES
.....)	

BACKGROUND

1 On November 28, 2005, Palouse River and Coulee City Railroad (Palouse River) filed a petition with the Commission, requesting exemption from traffic control device rules in WAC 480-62-230(2), which requires that railroad companies install crossbucks at railroad-grade crossings, for the following crossings in Spokane County:

- McFarlane Road, USDOT #066341C
- Meadow Lake Bridge Road, USDOT #066322X
- Keene Road, USDOT #066329V
- Hallett Road, USDOT #066336F
- Ritchey Road, USDOT #066337M
- Thorpe Road, USDOT #066339B
- Mission Road, USDOT #066354D
- Espanola Road, USDOT #066344X
- Sprague Road, USDOT #066347T
- Ladd Road, USDOT #066349G
- Coulee Hite Road, USDOT # 066351H
- Stroup Road, USDOT #066353W

- 2 Palouse River seeks this exemption because it has, at least temporarily, ceased operations on the tracks where these railroad-grade crossings are located. Palouse River acknowledges the crossbucks at the named crossings need repair; however, it asks for an exemption because no trains travel over the crossings.
- 3 Palouse River commits that it will, if the tracks are reactivated, repair the crossbucks at each of these crossings.

FINDINGS AND CONCLUSIONS

- 4 (1) The Washington Utilities and Transportation Commission is an agency of the state of Washington having jurisdiction over traffic control devices at public grade crossings. *Chapter 81.28.010 RCW and WAC 480-62-230(2).*
- 5 (2) Commission Staff investigated the request and recommended that it be granted.
- 6 (3) This matter was brought before the Commission at its regularly scheduled meeting on December 28, 2005.
- 7 (4) After examination of the petition filed by Palouse River and Coulee City Railroad on November 21, 2005, and giving consideration to all relevant matters and for good cause shown, the Commission grants the petition.

ORDER

THE COMMISSION ORDERS:

- 8 The petition of Palouse River and Coulee City Railroad, requesting exemption from WAC 480-62-230(2) for the specific grade crossings listed above, is granted. Approval of the petition is subject to the condition that, should Palouse River and Coulee City Railroad reactivate the tracks over these crossings, it will repair or replace every crossbuck required at each crossing prior to resuming operation.

The Commissioners, having determined that this filing complies with the requirements of Chapter 81.28.010 RCW and WAC 480-60-020, directed the Secretary to enter this Order.

DATED at Olympia, Washington, and effective this 28th day of December, 2005.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

CAROLE J. WASHBURN, Secretary