

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

In the Matter of the Petition of)	DOCKET TR-060428
)	
SHEETS UNLIMITED,)	ORDER 01
)	
Petitioner,)	
)	ORDER GRANTING EXEMPTION
Requesting Exemption From WAC)	FROM CLEARANCE RULES IN WAC
480-60-050)	480-60-050
.....)	

BACKGROUND

- 1 On March 17, 2006, Sheets Unlimited filed a petition with the Commission requesting exemption from railroad clearance rules in WAC 480-60-050, which generally requires a side clearance at railroad tracks of at least eight feet, six inches.

- 2 The request relates to the construction of a rail shelters that will protect workers and products loaded and unloaded at Sheets Unlimited during rainy weather conditions. The side clearance between the tracks and the rail shelters is eight feet, three inches, or three inches short of the required clearance in WAC 480-60-050.

- 3 Sheets Unlimited unloads its raw materials, large paper rolls, off railroad cars at the facility. Rainy weather causes slippery work areas, making it hazardous for employees to conduct their jobs. In addition, the large rolls of paper become wet, damaging the product.

- 4 Sheets Unlimited proposes to install retractable rail shelters that will protect employees and products during the unloading process. When fully retracted, the shelters will sit eight feet, three inches from the track.

- 5 Staff met with Sheets Unlimited and conducted a site inspection. Based on its inspection, staff recommended the Commission grant the exemption.

FINDINGS AND CONCLUSIONS

- 6 (1) The Washington Utilities and Transportation Commission is an agency of the state of Washington having jurisdiction over railroad clearance requirements.
Chapter 81.28.010 RCW and WAC 480-60-020.

- 7 (2) Commission Staff investigated the request and recommended that it be granted.
- 8 (3) This matter was brought before the Commission at its regularly scheduled meeting on August 30, 2006.
- 9 (4) After examination of the petition filed by Sheets Unlimited on March 17, 2006, and giving consideration to all relevant matters and for good cause shown, the Commission grants the petition.

ORDER

THE COMMISSION ORDERS:

10 The petition of Sheets Unlimited requesting exemption from WAC 480-60-050 as specified above is granted. Approval of the petition is subject to the following conditions:

- (1) The BNSF Railway Company (BNSF) must issue a General Order to all train crews operating at the Sheets Unlimited facility prohibiting the practice of riding on the side of any on-track equipment when approaching or traveling at the facility when the rail shelters are employed.
- (2) Sheets Unlimited must install cautionary signs on each railroad approach to the facility that indicate that the clearance between the rail shelters and the track is less than the required distance. The signs must be reflectorized, designed, and placed so as to be highly visible and clearly indicative of the points of close clearance.
- (3) Sheets Unlimited must notify Commission Staff upon installation of the signs required by condition 2. Acceptance of the installations is subject to inspection by Commission Staff for compliance with the requirements herein.

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 August 30, 2006.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

CAROLE J. WASHBURN, Executive Secretary