

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

In the Matter of the Petition of	)	DOCKET TR-072331
	)	
EASTERN WASHINGTON	)	ORDER 01
GATEWAY RAILROAD	)	
COMPANY,	)	ORDER GRANTING PETITION TO
	)	UPGRADE WARNING DEVICES AND
Petitioner,	)	AUTHORIZE EXPENDITURE FROM
v.	)	THE GRADE CROSSING PROTECTIVE
	)	FUND
CITY OF HARTLINE,	)	
	)	USDOT: 066100N
Respondent	)	UTC: 51A96.80
.....	)	

**BACKGROUND**

- 1     On November 30, 2007, the Eastern Washington Gateway Railroad Company (Gateway) filed a petition with the Utilities and Transportation Commission (Commission) seeking approval to upgrade warning devices at a railroad-highway grade crossing. The crossing is identified as USDOT 066100N and is located at Main Street and the petitioner’s tracks within the city of Hartline in Grant County. The petitioner further requests the Commission authorize an expenditure of \$17,786 from the Grade Crossing Protective Fund (GCPF) to pay for the upgrade.
- 2     On the same date, the City of Hartline filed consent to entry of an Order by the Commission without further notice or hearing.
- 3     Railroad warning devices at the Main Street crossing consist of shoulder mounted flashing lights with 8” lenses. Gateway proposes to upgrade the devices to 12” LED lenses, replace the current warning activation with HXP-1 constant warning activation, install a power-off indicator, and replace all storage batteries and charger.
- 4     Replacing the lenses and upgrading the constant warning devices will enhance the safety and increase visibility of the flashing lights for motorists approaching the crossing. Installing a power-off indicator will alert the railroad when power is interrupted to the warning devices. Replacing storage batteries and the charger will ensure continued operation of the warning devices.

5 The petitioner is requesting a disbursement of \$17,786 to pay for the upgrades. An  
expenditure of \$17,786 from the Grade Crossing Protective Fund is available to pay for  
funding the improvements.

### 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. *RCW 81.53*.
- 7 (2) The Main Street grade crossing, identified as USDOT 066100N, is a public  
railroad-highway grade crossing within the state of Washington.
- 8 (3) WAC 480-62-150 (2)(d) requires the Commission grant approval prior to any  
changes to public railroad-highway grade crossings within the state of  
Washington.
- 9 (4) RCW 81.53.271 allows the Commission to disburse up to \$20,000 from the Grade  
Crossing Protective Fund to pay for the installation of a grade crossing protective  
device without requiring a cost-share by the petitioner.
- 10 (5) Commission staff investigated the petition and recommended that it be granted,  
subject to specified conditions.
- 11 (6) After reviewing the petition filed by the Eastern Washington Gateway Railroad  
Company on November 30, 2007, and giving consideration to all relevant matters  
and for good cause shown, the Commission grants the petition and request for  
disbursement of funds.

### ORDER

#### THE COMMISSION ORDERS:

12 The petition of the Eastern Washington Gateway Railroad Company to upgrade warning  
devices at a railroad-highway grade crossing, located at Main Street and the Eastern  
Washington Gateway Railroad Company's tracks in the city of Hartline in Grant County,  
Washington, is granted. The cost of this upgrade is \$17,786 and shall be paid from the

Grade Crossing Protective Fund. Approval of the petition is subject to the following conditions:

- (1) Expenditure from the Grade Crossing Protective Fund must not exceed \$17,786.
- (2) Payment will be made upon presentation of claim for reimbursement for materials and labor, and verification by Commission staff that the work has been satisfactorily completed.
- (3) The Eastern Washington Gateway Railroad Company must sign and return the attached project agreement.
- (4) The project must be completed no later than June 30, 2008.
- (5) Traffic control devices must comply with all applicable standards specified in the U.S. Department of Transportation *Manual on Uniform Traffic Control Devices*.
- (6) Upon completion of the upgrades authorized herein, the Eastern Washington Gateway Railroad Company must notify the Commission. Acceptance of the changes is subject to inspection by Commission staff, verifying the crossing is in full compliance with applicable laws, regulations, and the conditions specified in this Order.

The Commissioners, having determined that this filing complies with the requirements of RCW 81.53.030, and RCW 81.53.271, directed the Executive Secretary to enter this Order.

DATED at Olympia, Washington, and effective December 17, 2007.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

CAROLE J. WASHBURN, Executive Secretary