

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

In the Matter of the Petition of	)	DOCKET TR-072335
)	
WASHINGTON AND IDAHO	)	ORDER 01
RAILWAY, INC.,)	
	)	ORDER GRANTING PETITION TO
Petitioner,	)	UPGRADE WARNING DEVICES AND
v.	)	AUTHORIZE EXPENDITURE FROM
	)	THE GRADE CROSSING PROTECTIVE
CITY OF PULLMAN,	)	FUND
)	
Respondent	)	USDOT: 066266T
.....	)	UTC: 52C75.70
)	

BACKGROUND

- 1 On December 3, 2007, the Washington and Idaho Railway, Inc. 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 066266T and is located at Kimiakken Street and the petitioner’s tracks within the city of Pullman in Whitman County. The petitioner further requests the Commission authorize an expenditure of \$17,836.64 from the Grade Crossing Protective Fund (GCPF) to pay for the upgrade.
- 2 On the same date, the City of Pullman filed consent to entry of an Order by the Commission without further notice or hearing.
- 3 Railroad warning devices at the Kimiakken Street crossing consist of shoulder mounted flashing lights with 8” lenses. Washington and Idaho Railway, Inc. 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 chargers.
- 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 chargers will ensure continued operation of the warning devices.

5 The petitioner is requesting a disbursement of \$17,836.64 to pay for the upgrades. An
expenditure of \$17,836.64 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 Kimiakken Street grade crossing, identified as USDOT 066266T, 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 Washington and Idaho Railway, Inc. on
December 3, 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 Washington and Idaho Railway, Inc. to upgrade warning devices at a
railroad-highway grade crossing, located at Kimiakken Street and the Washington and
Idaho Railway, Inc., tracks in the city of Pullman in Whitman County, Washington, is
granted. The cost of this upgrade is \$17,836.64 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 \$17,836.64.
- (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 Washington and Idaho Railway, Inc. 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 Washington and Idaho Railway, Inc. 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