

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

In the Matter of the Petition of)	DOCKET TR-080112
)	
WASHINGTON AND IDAHO)	ORDER 01
RAILWAY,)	
)	ORDER GRANTING PETITION TO
)	UPGRADE SAFETY DEVICES AND
)	AUTHORIZING EXPENDITURE FROM
Petitioner,)	THE GRADE CROSSING PROTECTIVE
)	FUND
)	
)	USDOT: 066162L
)	UTC: 52C75.00
Seeking approval to upgrade signals at)	
a railroad-highway grade crossing)	
.....		

BACKGROUND

- 1 On January 14, 2008, Washington and Idaho Railway (Petitioner) filed with the Washington Utilities and Transportation Commission (Commission), a petition seeking approval to upgrade safety devices at a railroad-highway grade crossing. The crossing is identified as USDOT 066162L and is located at the intersection of Stadium Way and the Petitioner’s tracks in the city of Pullman in Whitman County. The Petitioner further requested the Commission authorize an expenditure of \$5,174.08 from the Grade Crossing Protective Fund (GCPF) to pay for the upgrades.
- 2 Railroad warning devices at the crossing consist of cantilever mounted 12 inch flashing lights with gates. The Petitioner proposes to install a 40 amp battery charger provided by Washington State Department of Transportation, install a 20 amp charger, replace all system batteries and install a power off indicator light. These upgrades will improve the overall safety at the crossing because motorists and pedestrians can rely on these active warning devices to determine if a train is approaching the crossing.
- 3 The Petitioner is requesting a disbursement of \$5,174.08 to pay for the upgrades. The total approximate cost of the project is \$5,174.08. An expenditure of \$5,174.08 from the Grade Crossing Protective Fund is available to fund the improvements.

FINDINGS AND CONCLUSIONS

- 4 (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, and authority to approve and administer disbursements from the Grade Crossing Protective Fund. *RCW 81.53; RCW 81.53.271; RCW 81.53.281.*
- 5 (2) The grade crossing at the intersection of Stadium Way and the Petitioner's tracks in the city of Pullman in Whitman County, Washington, identified as USDOT 066162L, is a public railroad-highway grade crossing within the state of Washington.
- 6 (3) RCW 81.53.261 requires the Commission grant approval prior to any changes to public railroad-highway grade crossings within the state of Washington. *See also WAC 480-62-150.*
- 7 (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 the Petitioner to share the cost.
- 8 (5) Commission Staff investigated the petition and recommended that it be granted, subject to specified conditions.
- 9 (6) After reviewing Washington and Idaho Railway's petition filed on January 14, 2008, and giving due 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:

- 10 Washington and Idaho Railway's petition to upgrade warning devices at a railroad-highway grade crossing, located at the intersection of Stadium Way and the Petitioner's tracks in the city of Pullman in Whitman County, Washington, is granted. The cost of this upgrade 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 \$5,174.08.
- (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) Washington and Idaho Railway 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) Washington and Idaho Railway must notify the Commission on completion of the upgrades authorized in this Order. Acceptance of the upgrades is subject to inspection by Commission Staff, and verification that the crossing is in full compliance with applicable laws, regulations, and the conditions specified in this Order.

The Commissioners have delegated authority to the Executive Secretary to enter this Order pursuant to RCW 80.01.030 and WAC 480-07-904((1)(a)).

DATED at Olympia, Washington, and effective January 24, 2008.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

CAROLE J. WASHBURN, Executive Secretary