

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

In the Matter of the Petition of)	DOCKET TR-080116
)	
WASHINGTON & IDAHO)	ORDER 01
RAILWAY,)	
)	ORDER GRANTING PETITION TO
)	UPGRADE WARNING DEVICES AND
)	AUTHORIZING EXPENDITURE FROM
Petitioner,)	THE GRADE CROSSING PROTECTIVE
)	FUND
)	
)	USDOT: 066183E
)	UTC: 52C59.50
Seeking approval to upgrade signals at)	
a railroad-highway grade crossing)	
.....)	

BACKGROUND

- 1 On January 14, 2008, Washington & Idaho Railway (Petitioner) filed with the Washington Utilities and Transportation Commission (Commission), a petition seeking approval to upgrade warning devices at a railroad-highway grade crossing. The crossing is identified as USDOT 066183E and is located at the intersection of State Route 27 (SR-27) and the Petitioner's tracks in the city of Palouse in Whitman County. The Petitioner further requested the Commission authorize an expenditure of \$4,873.85 from the Grade Crossing Protective Fund (GCPF) to pay for the upgrades.
- 2 Railroad warning devices at the crossing consist of shoulder mounted 12 inch flashing lights. The Petitioner proposes to 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 \$4,873.85 to pay for the upgrades. The total approximate cost of the project is \$4,873.85. An expenditure of \$4,873.85 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 located at the intersection of SR-27 and the Petitioner's tracks, identified as USDOT 066183E, 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 & 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 & Idaho Railway's petition to upgrade warning devices at a railroad-highway grade crossing, located at the intersection of SR-27 and the Petitioner's tracks, 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 \$4,873.85.

- (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 & 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 & 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