

5 The road is classified as an urban minor arterial. It is a one-lane road with a maximum
vehicle speed limit of 25 miles per hour. Approximately 14,478 vehicles travel the
crossing each day, 62% of which are commercial vehicles. Approximately 42 freight
trains per day travel the tracks at 50 miles per hour. In addition, 8 passenger trains travel
the tracks each day at 79 miles per hour.

6 The proposed wayside horns and dual confirmation signals will be mounted on poles
located in the northeast and northwest approaches to the crossing. The wayside horns will
be directionally adjusted at on-coming vehicles and pedestrian traffic.

7 On September 10, 2008, the Respondent consented to entry of an Order by the
Commission without further notice or hearing.

FINDINGS AND CONCLUSIONS

8 (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.*

9 (2) The grade crossing at the intersection of Union Avenue and the Petitioner's
tracks, identified as USDOT 085755E, is a public railroad-highway crossing
within the state of Washington.

10 (3) RCW 81.53.261 requires that the Commission grant approval prior to any changes
to public railroad-highway grade crossings within the state of Washington. *See
also 480-62-150.*

11 (4) Commission Staff investigated the petition and recommended that it be granted,
provided that upon completion of the construction, the Petitioner notifies the
Commission. The crossing is subject to inspection by Commission Staff,
verifying that it is in full compliance with applicable laws and regulations.

12 (5) After reviewing the petition filed on September 23, 2008, and giving due
consideration to all relevant matters and for good cause shown, the Commission
grants the petition.

ORDER

THE COMMISSION ORDERS:

- 13* The Town of Steilacoom's petition to install wayside horns at a highway-railroad grade crossing, located at Union Avenue and BNSF Railway Company tracks, is granted.
- 14* The Petitioner must notify the Commission upon completion of the installation. The crossing is subject to inspection by Commission Staff, to verify that it is in full compliance with applicable laws and regulations.

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

DATED at Olympia, Washington, and effective October 8, 2008.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

DAVID W. DANNER, Executive Director and Secretary

NOTICE: This is an order delegated to the Secretary for decision. In addition to serving you a copy of the decision, the Commission will post on its Internet Web site for at least fourteen (14) days a listing of all matters delegated to the Secretary for decision. You may seek Commission review of this decision. You must file a request for Commission review of this order no later than fourteen (14) days after the date the decision is posted on the Commission's Web site. The Commission will schedule your request for review for consideration at a regularly scheduled open meeting. The Commission will notify you of the time and place of the open meeting at which the Commission will review the order.

The Commission will grant a late-filed request for review only on a showing of good cause, including a satisfactory explanation of why the person did not timely file the request. A form for late-filed requests is available on the Commission's Web site.

This notice and review process is pursuant to the provisions of RCW 80.01.030 and WAC 480-07-904(2) and (3).