

**BEFORE THE WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION**

WASHINGTON STATE)	DOCKET TR-152115
DEPARTMENT OF)	
TRANSPORTATION,)	ORDER 01
)	
Petitioner,)	ORDER GRANTING PETITION TO
)	MODIFY A PUBLIC HIGHWAY-RAIL
BNSF RAILWAY COMPANY,)	GRADE CROSSING AT STATE
)	ROUTE 97 (FAUST) IN KITTITAS
Respondent.)	COUNTY
)	
.....)	USDOT: 085214C
)	

BACKGROUND

- 1 On November 6, 2015, the Washington State Department of Transportation (WSDOT or Petitioner) filed a petition with the Washington Utilities and Transportation Commission (Commission) seeking approval to modify a railroad-highway grade crossing at State Route 97/Faust (SR-97) in Kittitas County. WSDOT proposes to modify active warning signals and highway illumination.
- 2 BNSF Railway Company (BNSF) owns the rail line and operates on the tracks. BNSF consented to entry of an Order by the Commission without further notice or hearing.
- 3 SR-97 is a two-lane rural principal arterial roadway with a posted speed limit of 40 miles per hour. Average annual daily traffic through the crossing is estimated at 2,500 vehicles. SR-97 is an established truck route which includes 30 percent commercial motor vehicles and is also an established school bus route with one school bus traveling over the crossing per day.
- 4 There is one mainline track at this location. The authorized speed limit for freight trains is 59 miles per hour with 12 freight trains operating over the crossing on a daily basis. The length of the freight trains traveling over the crossing is expected to increase. No passenger trains operate over the crossing.
- 5 Railroad warning devices at the SR-97 crossing consist of cantilever-mounted 12-inch incandescent flashing lights and gates.

- 6 WSDOT proposes to upgrade to 12-inch LED lights. The LED lights will improve visibility when the active warning devices are activated for motorists and pedestrians using the crossing. In addition, WSDOT proposes install highway illumination near the crossing to improve visibility due to established nighttime train movements over the crossing. Improvements to the crossing are funded by the United States Department of Transportation, Federal Highway Administration, Railroad Highways Crossings Section 130 program.
- 7 The proposed upgrades are in the interest of improving safety and convenience for roadway users.

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. *Chapter 81.53 RCW.*
- 9 (2) The proposed modification of a crossing involves a public railroad-highway grade crossing, as defined in RCW 81.53.010.
- 10 (3) RCW 81.53.261 and WAC 480-62-150 require that the Commission grant approval prior to modifying a public railroad-highway grade crossing within the state of Washington.
- 11 (4) Commission staff investigated the petition and recommends that it be granted. All traffic control devices must comply with all applicable standards specified in the U.S. Department of Transportation *2009 Manual on Uniform Traffic Control Devices.*
- 12 (5) After examination of the petition filed by Washington State Department of Transportation on November 6, 2015, and giving consideration to all relevant matters and for good cause shown, the Commission grants the petition.

ORDER

THE COMMISSION ORDERS:

13 The petition of the Washington State Department of Transportation to modify a railroad-highway grade crossing at State Route 97/Faust and the Respondent's tracks in Kittitas County is granted, as follows:

- (1) The modifications must conform to those described in the petition.
- (2) Traffic control devices must comply with all applicable standards specified in the U.S. Department of Transportation *2009 Manual on Uniform Traffic Control Devices*.
- (3) Petitioner must notify Commission Staff within 30 days upon completion of this project.

The Secretary of the Commission has delegated authority over this matter pursuant to Order 01 in Docket A-151775. The Secretary finds this Order to be consistent with the public interest.

DATED at Olympia, Washington, and effective November 18, 2015.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION



STEVEN V. KING, 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).