

**BEFORE THE WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION**

WASHINGTON STATE)	DOCKET TR-152117
DEPARTMENT OF)	
TRANSPORTATION,)	ORDER 01
)	
Petitioner,)	ORDER GRANTING PETITION TO
)	MODIFY A PUBLIC HIGHWAY-RAIL
)	GRADE CROSSING AT STATE
BNSF RAILWAY COMPANY,)	ROUTE 397 (CHEMICAL ROAD) IN
Respondent.)	BENTON COUNTY
)	
)	USDOT: 090046J
.....)	

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
 397 (SR-397)/Chemical Road in Benton County. WSDOT proposes to modify active
 warning devices.

- 2 BNSF Railway Company (BNSF) owns and operates on the tracks. BNSF consented to
 entry of an Order by the Commission without further notice or hearing.

- 3 SR-397 is a two-lane urban collector roadway with a posted speed limit of 50 miles per
 hour. Average annual daily traffic through the crossing is estimated at 1,300 vehicles. SR-
 397 is an established truck route which includes 18 percent commercial motor vehicles. In
 addition, SR-397 is a designated school bus route with one school bus traveling over the
 crossing each day.

- 4 There is one spur track at this location. The authorized speed limit for freight trains is 10
 miles per hour and up to two freight trains operate over the crossing on a daily basis. No
 passenger trains operate over the crossing.

- 5 Railroad warning devices at the SR-397 crossing consist of shoulder-mounted flashing lights
 and gates.

6 WSDOT proposes to upgrade the incandescent flashing lights to LED. The LED lights will improve visibility when the active warning devices are activated for motorists and pedestrians using 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 the overall 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 397 at Chemical Road and the Respondent's tracks in Benton 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).