

**BEFORE THE WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION**

CITY OF PALOUSE,

Petitioner,

WASHINGTON STATE
DEPARTMENT OF
TRANSPORTATION, and

WASHINGTON AND IDAHO
RAILWAY,

Respondents.

DOCKET TR-170136

ORDER 01

ORDER GRANTING PETITION TO
MODIFY A PUBLIC HIGHWAY-RAIL
GRADE CROSSING AND INSTALL
SIDEWALKS AT MILL STREET

USDOT: 857867M

BACKGROUND

- 1 On March 2, 2017, the City of Palouse (City or Petitioner) filed with the Washington Utilities and Transportation Commission (Commission) a petition seeking approval to modify a railroad-highway grade crossing and install sidewalks. The crossing is identified as USDOT 857867M and is located at the intersection of Mill Street and West Whitman Street in Palouse.
- 2 Respondents the Washington State Department of Transportation (WSDOT), which owns the tracks, and the Washington and Idaho Railway (WIR), the operating railroad, consented to entry of an Order by the Commission without further notice or hearing.
- 3 Mill Street is a two-lane road with a posted vehicle speed limit of 25 miles per hour. Average annual daily traffic through the crossing is estimated at 10 vehicles. Mill Street is part of an established truck route which includes approximately five percent commercial vehicle traffic. No school buses use the crossing.
- 4 Warning devices at the Mill Street crossing consists advance warning signs, crossbucks and yield signs. WIR operates two freight trains over the crossing each week at 10 miles per hour. No passenger trains operate on this line.
- 5 This project is part of the larger West Whitman Street Improvement Project, funded by the Transportation Improvement Board. A single mainline track runs down the center of

West Whitman Street. The project involves the reconstruction of the road and tracks on West Whitman Street, including the replacement of the roadbed and installation of new sidewalks, curbing, lighting, and landscaping between Mill Street and Bridge Street. The railroad tracks will be replaced and distinct travel lanes will be established on either side of the tracks. Curbing and crosswalks will be installed to provide pedestrians a designated path to safely cross the tracks. The City will also install new advance warning signs, crossbucks, stop signs, ENS signs, and pavement markings at the Mill Street crossing.

6 Commission Staff recommends granting the City of Palouse's petition subject to the following conditions:

- The modifications must conform to those described in and attached to the petition.
- Traffic control devices must comply with all applicable standards specified in the 2009 U.S. Department of Transportation Manual on Uniform Traffic Control Devices.
- Upon completion of the modifications authorized herein, the City must notify the Commission within 60 days. Acceptance of the changes is subject to inspection by Commission Staff, verifying that the crossing is in full compliance with applicable laws, regulations, and the conditions specified herein.

FINDINGS AND CONCLUSIONS

- 7 (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.*
- 8 (2) The Mill Street grade crossing, identified as USDOT 857867M, is a public railroad-highway grade crossing within the state of Washington.
- 9 (3) WAC 480-62-150 requires that the Commission grant approval prior to modifying a public railroad-highway grade crossing within the state of Washington.
- 10 (4) Commission Staff investigated the petition and recommended that it be granted with conditions.

- 11 (5) After examination of the petition filed by the City of Palouse on March 2, 2017, and giving consideration to all relevant matters and for good cause shown, the Commission grants the petition.

ORDER

THE COMMISSION ORDERS:

- 12 The petition of the City of Palouse to modify a railroad-highway grade crossing and install sidewalks at a railroad-highway grade crossing, located at Mill Street and West Whitman Street in the city of Palouse, is granted. Approval of the petition is subject to the following conditions:
- (1) The modifications must conform to those described in and attached to the petition.
 - (2) Traffic control devices must comply with all applicable standards specified in the U.S. Department of Transportation Manual on Uniform Traffic Control Devices.
 - (3) Upon completion of the modifications authorized herein, the City must notify the Commission within 60 days. Acceptance of the changes is subject to inspection by Commission Staff, verifying that the crossing is in full compliance with applicable laws, regulations, and the conditions specified herein.

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 March 10, 2017.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

A handwritten signature in blue ink that reads "Pat Hazard for".

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 website 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 website. 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 website.

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