

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. *Chapter 81.53 RCW.*
- 5 (2) The 3rd Avenue NE crossing, designated as USDOT 065799A is a public railroad-highway grade crossing within the state of Washington.
- 6 (3) WAC 480-62-150(2)(d) requires that the Commission grant approval prior to making any changes to train detection circuitry at public railroad-highway grade crossings within the state of Washington.
- 7 (4) Commission Staff investigated the petition and recommended that it be granted.
- 8 (5) This matter was brought before the Commission at its regularly scheduled meeting on November 12, 2003.
- 9 (6) After examination of the petition filed by the Burlington Northern Santa Fe Railway Company on October 29, 2003, and giving consideration to all relevant matters and for good cause shown, the Commission grants the petition.

ORDER

THE COMMISSION ORDERS:

- 10 The petition of the Burlington Northern Santa Fe Railway Company for modification of train detection circuitry at a public railroad-highway grade crossing located at the intersection of 3rd Avenue NE and the Petitioner's tracks, in Quincy, Washington, is granted.

The Commissioners, having determined that this filing complies with the requirements of WAC 480-62-150, directed the Secretary to enter this Order.

DATED at Olympia, Washington, and effective this 12th day of November, 2003.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

CAROLE J. WASHBURN, Secretary