

The crossing experiences more train traffic than others along the rail line due to frequent switching and other activities related to the presence of the Puget Sound and Pacific Railroad Company headquarters, located immediately to the northeast of the crossing.

- 5 Warning devices at the crossing consist of passive devices only, including stop signs. Petitioner seeks to install shoulder-mounted flashing light signals with gates. The upgrades are proposed in the interest of improving safety for roadway users.

FINDINGS AND CONCLUSIONS

- 6 (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.*
- 7 (2) The 3rd Street grade crossing, identified as USDOT 096634M, is a public railroad-highway grade crossing within the state of Washington.
- 8 (3) RCW 81.53.261 requires that the Commission grant approval prior to a change in the method and manner of traffic control at public railroad-highway grade crossings within the state of Washington.
- 9 (4) Commission Staff investigated the petition and recommended that it be granted, subject to specified conditions.
- 10 (5) This matter was brought before the Commission at its regularly scheduled meeting on January 14, 2004.
- 11 (6) After examination of the petition filed by the Puget Sound and Pacific Railroad Company on December 9, 2003, 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 Puget Sound and Pacific Railroad Company to upgrade warning devices at a railroad-highway grade crossing, located at the intersection of 3rd Street and the petitioner's tracks, in Elma, Washington, is granted, subject to the following conditions:

- (1) The upgrades must conform to the plans filed in this proceeding.
- (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) Traffic control devices and instrument housing must be installed in such a manner as to provide required clearances from both the roadway and railroad tracks.
- (4) Upon completion of the upgrades authorized herein, petitioner must notify the Commission. 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 Commissioners, having determined that this filing complies with the requirements of RCW 81.53.261, directed the Secretary to enter this Order.

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DATED at Olympia, Washington, and effective this 14th day of January, 2004.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

CAROLE J. WASHBURN, Secretary