

4 Petitioner maintains one mainline track through the crossing. Average daily
train traffic includes four freight trains, traveling at a maximum speed of 25 mph.

5 Warning at the crossing consists of minimum passive devices. Petitioner seeks to
upgrade the existing devices by installing shoulder-mounted signals with gates.
The proposal also includes installation of median separators on each roadway
approach. The median separators will extend 100 feet down the roadway
centerline, beginning at the tip of each gate. The purpose of the medians is to
prevent motorists from driving around lowered gates. The improvements 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 West White Swan Road grade crossing, identified as USDOT 099250N,
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 September 29, 2004.
- 11 (6) After examination of the petition filed by the Toppenish Simcoe and
Western Railroad Company on September 10, 2004, 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 Toppenish Simcoe and Western Railroad Company to upgrade warning devices at a railroad-highway grade crossing, located at the intersection of West White Swan Road and the petitioner's tracks, in Yakima County, 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 29th day of September, 2004.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

CAROLE J. WASHBURN, Secretary