

**BEFORE THE WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION**

In the Matter of the Petition of	DOCKET TR-190914
CHELAN COUNTY,	ORDER 01
Petitioner,	GRANTING PETITION TO RECONSTRUCT AN OVERCROSSING
BNSF RAILWAY COMPANY,	
Respondent.	USDOT: 084468N

BACKGROUND

- 1 On November 4, 2019, Chelan County (County or Petitioner) filed with the Washington Utilities and Transportation Commission (Commission) a petition seeking approval to reconstruct a railroad-highway overcrossing located at Goodwin Road in Cashmere, identified as USDOT 084668N, also referred to as the West Cashmere Bridge.
- 2 Respondent BNSF Railway Company (BNSF) consented to entry of an Order by the Commission without further notice or hearing.
- 3 Goodwin Road is a two-lane road with a posted vehicle speed limit of 25 miles per hour. Because the overcrossing does not intersect the railroad tracks at grade, no warning signs or signals are necessary.
- 4 BNSF operates 15 freight trains on its single mainline track under this overcrossing daily at 35 miles per hour. Two passenger trains travel under the overcrossing daily at 40 miles per hour.
- 5 According to the County's petition, the existing overcrossing is over 85 years old, and is functionally obsolete, structurally deficient, and deteriorating with decreasing load-carrying capacity. The County proposes to replace the existing structure with a new, modernized overcrossing through a combination of federal, state, local, and private funding. The County is responsible for replacement and maintenance of the new overcrossing.
- 6 Commission staff (Staff) has investigated the petition and recommends that it be granted subject to the following conditions: (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 Manual on Uniform Traffic Control Devices, and (3) upon completion of the modifications authorized herein, Chelan County must notify the Commission within 60 days. Acceptance of the changes is subject to inspection by Staff, verifying that the crossing is in full compliance with applicable laws, regulations, and the conditions specified herein.

DISCUSSION

- 7 RCW 81.53.060 requires that the Commission grant approval prior to modifying a public railroad-highway overcrossing within the state of Washington. We find that the proposed modifications will improve overall safety for roadway users. Accordingly, the Commission grants the petition subject to the conditions that Staff recommends.

FINDINGS AND CONCLUSIONS

- 8 (1) The Commission is an agency of the State of Washington having jurisdiction over public railroad-highway overcrossings within the state of Washington.
- 9 (2) The Goodwin Road overcrossing, identified as USDOT 084468N, is a public railroad-highway overcrossing within the state of Washington.
- 10 (3) RCW 81.53.060 requires that the Commission grant approval prior to modifying a public railroad-highway overcrossing within the state of Washington. See also 480-62-150.
- 11 (4) Staff investigated the petition and recommends that it be granted with the conditions set out in paragraph 6, above.
- 12 (5) After reviewing the petition filed by the County on November 4, 2019, and giving consideration to all relevant matters and for good cause shown, the Commission grants the petition.

ORDER

THE COMMISSION ORDERS:

13 Chelan County's petition to reconstruct a railroad-highway overcrossing located at Goodwin Road is granted. Approval of the petition is subject to the following conditions:

- (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 Manual on Uniform Traffic Control Devices.
- (3) Upon completion of the modifications authorized herein, the County must notify the Commission within 60 days. Acceptance of the changes is subject to inspection by Staff, verifying that the overcrossing 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-180762. The Secretary finds this Order to be consistent with the public interest.

DATED at Olympia, Washington, and effective November 13, 2019.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

MARK L. JOHNSON, Executive Director and Secretary

NOTICE TO PARTIES: This is an order delegated to the Executive Secretary for decision. As authorized in WAC 480-07-904(3), you must file any request for Commission review of this order no later than 14 days after the date the decision is posted on the Commission's website.