

**BEFORE THE WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION**

<p>In the Matter of the Petition of</p> <p>WASHINGTON STATE DEPARTMENT OF TRANSPORTATION,</p> <p style="text-align: center;">Petitioner,</p> <p>CASCADE AND COLUMBIA RIVER RAILROAD,</p> <p style="text-align: center;">Respondent.</p>

DOCKET TR-200836

ORDER 01

GRANTING PETITION TO MODIFY
WARNING DEVICES AT A
HIGHWAY-RAILROAD GRADE
CROSSING AT STATE ROUTE 97 IN
OROVILLE

USDOT: 096383V

BACKGROUND

- 1 On September 30, 2020, the Washington State Department of Transportation (WSDOT or Petitioner) filed with the Washington Utilities and Transportation Commission (Commission) a petition (Petition) seeking approval to modify warning devices at a railroad-highway grade crossing located at State Route 97 (SR-97) in Oroville, Okanogan County, identified as USDOT 096383V.
- 2 Respondent Cascade and Columbia River Railroad (CSCD or Respondent) consented to entry of a Commission order without further notice or hearing.
- 3 SR-97 is a two-lane roadway with a posted vehicle speed limit of 50 miles per hour. Average annual daily traffic through the crossing is estimated at 3,600 vehicles. SR-97 is part of an established school bus route with four buses using the crossing on school days. SR-97 is part of an established truck route with approximately 12 percent commercial vehicle traffic.
- 4 Warning devices at the SR-97 crossing consist of advance warning signs, pavement markings, reflectorized crossbucks, ENS signs, mast and cantilever mounted warning lights, and motion-sensor train detection. CSCD operates up to four freight trains per week over this crossing at up to 10 miles per hour. No passenger trains travel over the crossing.
- 5 As part of this project:
 - The Petitioner will install an active advance warning system for southbound highway traffic and a skewed crossing warning sign.

- The Respondent will replace and extend the existing crossing surface with concrete panels, relocate and install new cantilevers with LED warning lights, install a new warning light for the driveway in the northeast quadrant of the crossing, and provide a connection for the highway active advance warning signal.

6 These improvements are funded by the United States Department of Transportation, Federal Highway Administration, Railway-Highway Crossings (Section 130) program and will improve the overall safety of the crossing.

7 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 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, and (3) WSDOT must notify the Commission within 60 days upon completion of the modifications authorized herein. 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

8 RCW 81.53.261 requires that the Commission grant approval prior to modifying a public railroad-highway grade crossing 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

- 9 (1) The Commission is an agency of the State of Washington having jurisdiction over public railroad-highway grade crossings within the state of Washington.
- 10 (2) The SR-97 grade crossing, identified as USDOT 096383V, is a public railroad-highway grade crossing within the state of Washington.
- 11 (3) RCW 81.53.261 requires that the Commission grant approval prior to modifying a public railroad-highway grade crossing within the state of Washington. See also WAC 480-62-150.
- 12 (4) Staff investigated the Petition and recommends that it be granted with the conditions set out in paragraph 7, above.

- 13 (5) After examining the Petition filed by WSDOT on September 30, 2020, and giving consideration to all relevant matters and for good cause shown, the Commission grants the Petition.

O R D E R

THE COMMISSION ORDERS:

- 14 The Washington State Department of Transportation's Petition to modify warning devices at a railroad-highway grade crossing located at SR-97 is granted, 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) The Washington State Department of Transportation must notify the Commission within 60 days upon completion of the modifications authorized herein. 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.
- 15 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 Lacey, Washington, and effective October 20, 2020.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

/s/ Mark Schutter on behalf of
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.