

**BEFORE THE WASHINGTON STATE
UTILITIES AND TRANSPORTATION COMMISSION**

TACOMA RAIL,) DOCKET NO. TR-040296
)
Petitioner,) ORDER NO. 01
)
v.) ORDER GRANTING PETITION TO
) UPGRADE WARNING DEVICES AT
CENTRALIA, WASHINGTON,) A RAILROAD-HIGHWAY GRADE
) CROSSING
Respondent.)
) USDOT: 396768P
) WUTC: 20J 13.90
.....)

BACKGROUND

- 1 On February 17, 2004, Tacoma Rail filed a petition with the Commission, seeking approval to upgrade warning devices at a railroad-highway grade crossing. The crossing is located at the intersection of the petitioner's tracks and 1st Street, in the NW ¼ of the NW ¼ of Section 8, Township 14 N., Range 2 W., W.M., in Centralia, Washington. Funding for the upgrades is pursuant to the Inter-modal Surface Transportation Efficiency Act, in cooperation with the Washington State Department of Transportation.
- 2 Respondent has consented to an entry of an Order by the Commission without further notice or hearing under the following condition: "The City of Centralia accepts no financial responsibility for this project. In addition, the City accepts no liability or financial responsibility for damages caused by Tacoma Rail or third parties to the rail crossing or associated equipment." Petitioner has verified that this condition is acceptable.
- 3 Although the crossing was previously equipped with flashing light signals and gates, the signals are currently non-operational due to years of inactivity and the removal of vital signal system parts during the 1990s. On April 30, 2003, the Commission entered an order in Docket TR-030561 that allowed Tacoma Rail to

run trains across the 1st Street crossing under specified conditions. The order in TR-030561 was intended to grant a temporary change in the method of traffic control at the crossing until new signal equipment was available.

- 4 In the vicinity of the crossing, 1st Street is classified as an urban local roadway, with one lane for each direction of traffic and a vehicle speed limit of 25 mph. Average daily traffic through the crossing is estimated at 6,400 vehicles.
- 5 Petitioner maintains two main tracks through the crossing. Average train traffic across 1st Street is estimated at one train per day. Although TR-030561 currently requires crews to stop and flag all trains across the 1st Street grade crossing, the maximum timetable speed through the crossing is 20 mph.
- 6 Petitioner seeks to upgrade the obsolete signals at the crossing by installing state-owned shoulder-mounted signals with gates and upgrading the train detection circuitry. Since the order in TR-030561 was intended to be effective only until new signal equipment could be installed at the crossing, installation of the proposed equipment would abrogate that order.

FINDINGS AND CONCLUSIONS

- 7 (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.*
- 8 (2) The 1st Street grade crossing, identified as USDOT 396768P, is a public railroad-highway grade crossing within the state of Washington.
- 9 (3) RCW 81.53.261 requires that the Commission grant approval prior to any changes in the method and manner of traffic control at public railroad-highway grade crossings within the state of Washington.

- 10 (4) Commission Staff investigated the petition and recommended that it be granted, subject to specified conditions.
- 11 (5) This matter was brought before the Commission at its regularly scheduled meeting on March 12, 2004.
- 12 (6) After examination of the petition filed by Tacoma Rail on February 17, 2004, 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:

- 13 The petition of Tacoma Rail to upgrade warning devices at a public railroad-highway grade crossing, located at the intersection of 1st Street and the petitioner's tracks, in Centralia, Washington, is granted, subject to the following conditions:
- (1) The upgrades must conform to the specifications 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.

DATED at Olympia, Washington, and effective this 12th day of March, 2004

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

CAROLE J. WASHBURN, Secretary