

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

THE WASHINGTON STATE)	DOCKET TR-060211
DEPARTMENT OF)	
TRANSPORTATION)	ORDER 01
)	
Petitioner,)	
)	ORDER GRANTING PETITION TO
v.)	RECONSTRUCT A RAILROAD-
)	HIGHWAY GRADE CROSSING
THE BNSF RAILWAY COMPANY)	
)	USDOT: 084930P
Respondent.)	WUTC: 1G 124.21
.....)	

BACKGROUND

- 1 On February 7, 2006, the Washington State Department of Transportation (WSDOT) filed a petition with the Commission, seeking approval to reconstruct a railroad-highway grade crossing. The crossing is designated as USDOT Crossing No. 084930P, and is located at the intersection of East Badger Road and the tracks of the BNSF Railway Company (BNSF) in Whatcom County, Washington.
- 2 Respondent has consented to an entry of an Order by the Commission without further notice or hearing.
- 3 In the vicinity of the crossing, East Badger Road is currently classified as a local access road with one 11' lane for each direction of travel, and a maximum speed limit of 50 mph. Average daily traffic through the crossing is estimated at 700 vehicles.
- 4 BNSF maintains one mainline track through the crossing. Average daily train traffic includes two freight trains, traveling at a maximum speed of 10 mph.
- 5 The proposal is related to a larger WSDOT project that will realign and widen State Route 9 in the vicinity of Sumas, Washington. At project completion, East Badger Road will be designated as SR-9 and widened to include two 12' lanes with an 8' shoulder in each direction of travel, including through the East Badger Road grade crossing. Estimated average daily traffic through the crossing after project completion is 6,000 vehicles.

6 Warning devices at the crossing consist of shoulder-mounted signals with gates, and are
activated by AC/DC-type train detection circuitry. In addition to widening the crossing
surface according to the proposed roadway width, petitioner seeks to replace the existing
warning devices with new cantilever-mounted signals with gates, activated by constant
warning-type train detection circuitry. The changes are proposed in the interest of
conforming to standards for railroad warning devices and improving safety for roadway
users.

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 East Badger Road grade crossing, identified as USDOT 084930P, is a public
railroad-highway grade crossing within the state of Washington.
- 9 (3) RCW 81.53.060 requires that the Commission grant approval prior to any
alteration in the method and manner of existing 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 15, 2006.
- 12 (6) After examination of the petition filed by the Washington State Department of
Transportation on February 7, 2006, and giving consideration to all relevant
matters and for good cause shown, the Commission grants the petition.

ORDER

THE COMMISSION ORDERS:

- 13 The petition of the Washington State Department of Transportation to reconstruct a
railroad-highway grade crossing, located at the intersection of East Badger Road and the

tracks of the BNSF Railway Company, in Whatcom County, Washington, is granted, subject to the following conditions:

- (1) The reconstruction and all new installations must conform to the plans filed in this proceeding.
- (2) The crossing must be hard-surfaced between the rails and for a distance of at least one foot outside each rail for the full width of the traveled roadway, including the shoulders.
- (3) Traffic control devices, advance warning signs, and pavement markings must comply with applicable standards specified in the U.S. Department of Transportation *Manual on Uniform Traffic Control Devices*.
- (4) 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.
- (5) Upon completion of the changes 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 81.53.060, directed the Secretary to enter this Order.

DATED at Olympia, Washington, and effective March 15, 2006.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

CAROLE J. WASHBURN, Executive Secretary