

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

In the Matter of the Petition of)	DOCKET TR-080478
)	
PALOUSE RIVER AND COULEE)	ORDER 01
CITY RAILROAD,)	
)	ORDER GRANTING PETITION TO
Petitioner,)	UPGRADE WARNING DEVICES AND
)	AUTHORIZING EXPENDITURE FROM
)	THE GRADE CROSSING PROTECTIVE
)	FUND
)	
Seeking approval to upgrade signals at)	USDOT: 809294C
a railroad-highway grade crossing)	UTC: 36F17.70
.....)	

BACKGROUND

- 1 On March 10, 2008, Palouse River and Coulee City Railroad (Palouse River or Petitioner) filed with the Washington Utilities and Transportation Commission (Commission), a petition seeking approval to upgrade warning devices at a railroad-highway grade crossing. The crossing is identified as USDOT 809294C and is located at the intersection of South Park Avenue and the Petitioner’s tracks in the City of St. John. The Petitioner further requested the Commission authorize an expenditure of \$20,000 from the Grade Crossing Protective Fund (GCPF) to pay for a portion of the upgrades.
- 2 Railroad warning devices at the intersection of South Park Avenue and the petitioner’s tracks in Whitman County, Washington consist of wig wag warning devices. The Petitioner proposes to install 12” shoulder mounted lights and gates and upgrade the train detection circuitry. These upgrades will improve the overall safety at the crossing because motorists and pedestrians can rely on these updated active warning devices to determine if a train is approaching the crossing. The current wig wag warning devices are obsolete and do not provide motorists with consistent warning of approaching trains.
- 3 The Petitioner is requesting a disbursement of \$20,000 to pay for a portion of the upgrades. The total approximate cost of the project is \$44,203.17. Washington State Department of Transportation (WSDOT) has committed to pay upgrades in excess of \$20,000. Commission staff is facilitating the use of surplus equipment at this crossing which was provided by WSDOT. The use of surplus equipment is reducing the overall project costs. An expenditure of \$20,000 from the Grade Crossing Protective Fund is available to help fund the improvements.

FINDINGS AND CONCLUSIONS

- 4 (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, and authority to approve and administer disbursements from the Grade Crossing Protective Fund. *RCW 81.53; RCW 81.53.271; RCW 81.53.281.*
- 5 (2) The grade crossing at the intersection of South Park Avenue and the petitioner's tracks in Whitman County, Washington, identified as USDOT 809294C, is a public railroad-highway grade crossing within the state of Washington.
- 6 (3) *RCW 81.53.261* requires the Commission grant approval prior to any changes to public railroad-highway grade crossings within the state of Washington. *See also WAC 480-62-150.*
- 7 (4) *RCW 81.53.271* allows the Commission to disburse up to \$20,000 from the Grade Crossing Protective Fund to pay for the installation of a grade crossing protective device, without requiring the Petitioner to share the cost.
- 8 (5) Commission Staff investigated the petition and recommended that it be granted, subject to specified conditions.
- 9 (6) After reviewing Palouse River's petition filed on March 10, 2008, and giving due consideration to all relevant matters and for good cause shown, the Commission grants the petition and request for disbursement of funds.

ORDER

THE COMMISSION ORDERS:

10 Palouse River and Coulee City Railroad's petition to upgrade warning devices at a railroad-highway grade crossing, located at the intersection of South Park Avenue and the petitioner's tracks in Whitman County, Washington, is granted. The cost of this upgrade shall be paid from the Grade Crossing Protective Fund. Approval of the petition is subject to the following conditions:

- (1) Expenditure from the Grade Crossing Protective Fund must not exceed \$20,000.

- (2) Payment will be made upon presentation of claim for reimbursement for materials and labor, and verification by Commission Staff that the work has been satisfactorily completed.
- (3) Palouse River and Coulee City Railroad must sign and return the attached project agreement.
- (4) The project must be completed no later than June 30, 2008.
- (5) Traffic control devices must comply with all applicable standards specified in the U.S. Department of Transportation *Manual on Uniform Traffic Control Devices*.
- (6) Palouse River and Coulee City Railroad must notify the Commission on completion of the upgrades authorized in this Order. Acceptance of the upgrades is subject to inspection by Commission Staff, and verification that the crossing is in full compliance with applicable laws, regulations, and the conditions specified in this Order.

The Commissioners have delegated authority to the Executive Secretary to enter this Order pursuant to [RCW 80.01.030](#) and [WAC 480-07-904\(\(1\)\(a\)\)](#).

DATED at Olympia, Washington, and effective April 8, 2008.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

CAROLE J. WASHBURN, Executive Secretary