

**BEFORE THE WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION**

In the Matter of the Petition of)	DOCKET TR-112044
)	
CITY OF WASHOUGAL,)	ORDER 01
)	
Petitioner,)	ORDER GRANTING PETITION FOR
)	PEDESTRIAN IMPROVEMENTS AND
)	AUTHORIZING EXPENDITURE FROM
)	THE GRADE CROSSING PROTECTIVE
Seeking Approval for Pedestrian)	FUND
Improvements at a Railroad-Highway)	
Grade Crossing)	USDOT: 090117D
.....)	

BACKGROUND

- 1 On November 28, 2011, the City of Washougal (City or Petitioner) filed with the Washington Utilities and Transportation Commission (Commission), a petition seeking approval to install sidewalks at a railroad-highway grade crossing. The City filed revisions to the petition on February 9, 2012. The crossing is identified as USDOT 090117D and is located at the intersection of 32nd Street and the BNSF Railway Company's (BNSF) tracks in the City of Washougal. 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 BNSF has consented to entry of an Order by the Commission without further notice or hearing.
- 3 Railroad warning devices at the 32nd Street crossing consist of cantilever mounted flashing lights and gates and cross-bucks. The Petitioner proposes to install pedestrian sidewalks on the west side of the crossing. The new sidewalk will connect to the existing sidewalks along the roadway and be five feet wide and made of concrete. These upgrades will improve the overall safety at the crossing because pedestrians will have a continuous smooth walking surface to cross the tracks. The Petitioner proposes to maintain the current warning devices on both approaches to the crossing.
- 4 32nd Street is a three-lane roadway with a posted speed limit of 25 miles per hour. Average vehicle traffic through the crossing is estimated at 10,000 vehicles which includes 13 school buses.

5 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 \$76,094. The City of Washougal will be contributing \$56,094 toward project costs. An expenditure of \$20,000 from the Grade Crossing Protective Fund is available to help fund the improvements.

FINDINGS AND CONCLUSIONS

- 6 (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.*
- 7 (2) The grade crossing at the 32nd Street, identified as USDOT 090117D, is a public railroad-highway grade crossing within the state of Washington.
- 8 (3) *WAC 480-62-150(1)(g)* requires that the Commission grant approval prior to any changes to crossing surfaces at public-highway grade crossing within the state of Washington.
- 9 (5) Commission Staff investigated the petition and recommended that it be granted, subject to specified conditions.
- 10 (6) After reviewing City's petition filed on November 28, 2011, and revised on February 9, 2012, 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:

11 The City of Washougal's petition to install sidewalks at a railroad-highway grade crossing, located at the 32nd Street and BNSF Railway Company's tracks, 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) City of Washougal must sign and return the attached project agreement.
- (4) The project must be completed no later than February 1, 2013.
- (5) The modifications must conform to those described in the petition.
- (6) Traffic control devices must comply with all applicable standards specified in the U.S. Department of Transportation *Manual on Uniform Traffic Control Devices*.
- (7) City of Washougal 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, having determined this Order to be consistent with the public interest, directed the Secretary to enter this Order.

DATED at Olympia, Washington, and effective February 27, 2012.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

DAVID W. DANNER, Executive Director and Secretary

NOTICE: This is an order delegated to the Secretary for decision. In addition to serving you a copy of the decision, the Commission will post on its Internet Web site for at least fourteen (14) days a listing of all matters delegated to the Secretary for decision. You may seek Commission review of this decision. You must file a request for Commission review of this order no later than fourteen (14) days after the date the decision is posted on the Commission's Web site. The Commission will schedule your request for review for consideration at a regularly scheduled open meeting. The Commission will notify you of the time and place of the open meeting at which the Commission will review the order.

The Commission will grant a late-filed request for review only on a showing of good cause, including a satisfactory explanation of why the person did not timely file the request. A form for late-filed requests is available on the Commission's Web site.

This notice and review process is pursuant to the provisions of RCW 80.01.030 and WAC 480-07-904(2) and (3).