

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

CHELAN COUNTY,)	DOCKET TR-120102
)	
Petitioner,)	ORDER 01
)	
v.)	ORDER GRANTING PETITION FOR
)	PEDESTRIAN IMPROVEMENTS AT
BNSF RAILWAY CO. and)	THE OLDS STATION ROAD
CASCADE AND COLUMBIA)	CROSSING IN CHELAN COUNTY
RIVER RAILROAD,)	
)	
Respondents.)	USDOT: 065843K
)	
.....)	

BACKGROUND

- 1 On January 20, 2012, the Port of Chelan County filed a petition with the Washington Utilities and Transportation Commission (Commission), seeking approval to install sidewalks at a railroad-highway grade crossing. On July 24, 2012, Chelan County filed a revised petition (Chelan County or Petitioner). The crossing is identified as USDOT 065843K and located at the intersection of Olds Station Road and BNSF Railway Co. (BNSF) and Cascade and Columbia River’s (Cascade and Columbia) tracks in Chelan County, Washington.
- 2 BNSF owns and operates on the tracks and also allows Cascade and Columbia to operate on the tracks. BNSF and Cascade and Columbia, Respondents, consented to entry of an Order by the Commission without further notice or hearing.
- 3 Railroad warning devices at the Olds Station Road grade crossing consist of shoulder mounted lights and gates, cross-bucks, advance warning signs, and pavement markings. The Petitioner proposes to install a pedestrian concrete sidewalk on the north side of the crossing and it will be five and one half feet wide. The crossing surface over the tracks will be extended to accommodate the sidewalk. The installation of the sidewalk will replace a dirt and gravel walkway and provide pedestrians with a smooth walking surface to safely cross the tracks.

4 Olds Station Road is a two-lane roadway with a posted speed limit of 25 miles per hour. Average daily vehicle traffic through the crossing is estimated at 600 vehicles which includes up to 100 commercial motor vehicles per day. No school buses use this crossing. One freight train per day operates at up to 10 miles per hour over the double track crossing. There is a partial third track located outside the shoulder mounted lights and gates. The partial third track covers one lane of roadway travel and is not connected to any rail lines. BNSF will eventually remove this segment of track.

5 The proposed sidewalk is in the interest of improving safety for pedestrian users. The sidewalk will ensure that pedestrians have a designated path to safely cross the grade crossing. The sidewalk will be located on the north side of the crossing and inside the crossing gate. Staff recommends granting Chelan County's petition subject to the following conditions:

- Traffic control devices must comply with all applicable standards specified in the 2009 U.S. Department of Transportation Manual on Uniform Traffic Control Devices.
- Upon completion of the sidewalks authorized herein, Petitioner must notify the Commission within 60 days. 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.

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. *Chapter 81.53 RCW.*
- 7 (2) The Olds Station Road grade crossing, identified as USDOT 065843K 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 railroad-highway grade crossings within the state of Washington.
- 9 (4) Commission Staff investigated the petition and recommended that it be granted.

- 10 (5) After examination of the petition filed by Chelan County on January 20, 2012, and revised on July 24, 2012, and giving consideration to all relevant matters and for good cause shown, the Commission grants the petition.

ORDER

THE COMMISSION ORDERS:

- 11 The petition of Chelan County to install sidewalks at a railroad-highway grade crossing, located at the intersection of Olds Station Road and BNSF Railway Co. and Cascade and Columbia River Railroad's tracks in Chelan County, Washington, is granted. Approval of the petition is subject to the following conditions:

- (1) The modifications must conform to those described in the petition.
- (2) Traffic control devices must comply with all applicable standards specified in the 2009 U.S. Department of Transportation *Manual on Uniform Traffic Control Devices*.
- (3) Upon completion of the sidewalks authorized herein, Petitioner must notify the Commission within 60 days. 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 WAC 480-62-150(1) (g) and RCW 81.53.030, directed the Secretary to enter this Order.

DATED at Olympia, Washington, and effective July 25, 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).