

**BEFORE THE WASHINGTON  
UTILITIES AND TRANSPORTATION COMMISSION**

In the Matter of the Petition of

TOWN OF ST. JOHN,

Petitioner,

WASHINGTON STATE  
DEPARTMENT OF  
TRANSPORTATION,

Respondent,

PALOUSE RIVER AND COULEE  
CITY RAILROAD,

Respondent.

DOCKET TR-160331

ORDER 01

ORDER GRANTING PETITION TO  
MODIFY HIGHWAY-RAIL GRADE  
CROSSING ACTIVE WARNING  
DEVICES AT PARK AVENUE AND  
AUTHORIZING EXPENDITURE  
FROM THE GRADE CROSSING  
PROTECTIVE FUND

USDOT: 809294C

**BACKGROUND**

- 1 On March 25, 2016, the Town of St. John (Town or Petitioner) filed with the Washington Utilities and Transportation Commission (Commission), a petition seeking approval to modify active warning devices at a railroad-highway grade crossing. The crossing is identified as USDOT 809294C and is located at Park Avenue in St. John, Washington. 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 The Washington State Department of Transportation (WSDOT) owns the railroad line and Palouse River and Coulee City Railroad is the operating railroad. Both respondents consented to entry of an Order by the Commission without further notice or hearing.
- 3 Park Avenue is a two-lane rural roadway with a posted speed limit of 25 miles per hour. Average annual daily vehicle traffic through the crossing is estimated at 750 vehicles. Park Avenue is part of an established school bus route with eight to 10 school buses traveling over the crossing each day. The crossing is not part of an established truck route. One freight train operates over this single mainline track crossing each day at 10 miles per hour. No passenger trains operate over this crossing.
- 4 Railroad warning devices at the Park Avenue crossing consist of shoulder-mounted flashing lights, crossbucks and advance warning signs. The Town plans to upgrade the

crossing as part of a larger Transportation Improvement Board-funded road project. The Town proposes to widen the 18-foot crossing to 25 feet, install a new concrete crossing surface, relocate the northbound flashing light signal impacted by the widening of the roadway and crossing, and upgrade the signal wiring to meet current standards. The roadway project will also install curb and gutter along the east side of the street south of the tracks and on both sides of the Park Avenue north of the tracks.

- 5 The pedestrian crossing on the east side of the crossing will not be a typical because of nearby drainage issues and the transition from a rural to an urban setting at the railroad tracks. There are only a few residences located south of the crossing with limited pedestrian access. The Town proposes to extend the asphalt roadway on the east side to the new curb and gutter location and stripe the road to provide a clear route for pedestrian travel.
- 6 Commission Staff reviewed the proposed upgrades and and recommends approval of the project. The proposed upgrades will improve the overall safety and conditions at the crossing.
- 7 GCPF funds would be used to fund the portion of the project related to relocating the signal and upgrading the wiring. The total approximate cost of this portion of the project is \$40,000. The Petitioner is contributing \$20,000 in labor and materials toward the cost of the upgrades and is responsible for any additional project costs. An expenditure of \$20,000 from the GCPF is available to help fund the improvements.

### **FINDINGS AND CONCLUSIONS**

- 8 (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.
- 9 (2) The grade crossing at Park Avenue, identified as USDOT 809294C, is a public railroad-highway grade crossing within the state of Washington.
- 10 (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.

- 11 (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.
- 12 (5) Commission Staff investigated the petition and recommended that it be granted, subject to specified conditions.
- 13 (6) After reviewing the Town of St. John's petition filed on March 25, 2016, and giving due consideration to all relevant matters and for good cause shown, the Commission grants the petition and request for disbursement of funds.

**O R D E R**

**THE COMMISSION ORDERS:**

- 14 The Town of St. John's petition to upgrade warning devices at a railroad-highway grade crossing, located at Park Avenue, is granted. The cost of a portion 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) The Town of St. John must sign and return the attached project agreement.
  - (4) The project must be completed no later than November 30, 2016.
  - (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) The Town of St. John 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 Secretary of the Commission has delegated authority over this matter pursuant to Order 01 in Docket A-151775. The Secretary finds this Order to be consistent with the public interest.

DATED at Olympia, Washington, and effective April 5, 2016.

**WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION**

**STEVEN V. KING, 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 website 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 website.

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