

**BEFORE THE WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION**

In the Matter of the Petition of

GRANT COUNTY PUBLIC WORKS,

Petitioner,

WASHINGTON STATE
DEPARTMENT OF
TRANSPORTATION, and

EASTERN WASHINGTON
GATEWAY RAILROAD,

Respondents.

DOCKET TR-180110

ORDER 01

ORDER GRANTING PETITION TO
MODIFY A PUBLIC HIGHWAY-RAIL
GRADE CROSSING AT J NE ROAD

USDOT: 066214B

BACKGROUND

- 1 On February 5, 2018, Grant County Public Works (County or Petitioner) filed with the Washington Utilities and Transportation Commission (Commission), a petition seeking approval to modify a railroad-highway grade crossing located at J NE Road near Coulee City, identified as USDOT 066214B.
- 2 Respondents, the Washington State Department of Transportation (WSDOT), which owns the tracks, and the Eastern Washington Gateway Railroad (EWGRR), the operating railroad, consented to entry of an Order by the Commission without further notice or hearing.
- 3 J NE Road is a two-lane rural road with a posted vehicle speed limit of 50 miles per hour. Average annual daily traffic through the crossing is estimated at 49 vehicles. J NE Road is not part of an established truck route and no school buses use the crossing.
- 4 Warning devices at the J NE Road crossing consists of advance warning signs, crossbucks and yield signs. EWGRR operates one freight train over this single mainline track crossing each week at 10 miles per hour. No passenger trains operate on this line.
- 5 The County is realigning J NE Road, requiring the crossing to be moved approximately 17 feet to the west. WSDOT and EWGRR will reconstruct the crossing to include new

10-foot hardwood ties and ballast. The crossing surface will also be upgraded to concrete panels.

6 Commission Staff recommends granting the County's petition subject to the following conditions:

- The modifications must conform to those described in and attached to the petition.
- 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 modifications authorized herein, the County 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

- 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 J NE Road grade crossing, identified as USDOT 066214B, is a public railroad-highway grade crossing within the state of Washington.
- 9 (3) RCW 81.53.261 requires that the Commission grant approval prior to modifying a public railroad-highway grade crossing within the state of Washington. *See also 480-62-150.*
- 10 (4) Commission Staff investigated the petition and recommended that it be granted with conditions.
- 11 (5) After examination of the petition filed by Grant County Public Works on February 5, 2018, and giving consideration to all relevant matters and for good cause shown, the Commission grants the petition.

ORDER

THE COMMISSION ORDERS:

12 The petition of Grant County Public Works to modify a railroad-highway grade crossing located at J NE Road near Coulee City is granted. Approval of the petition is subject to the following conditions:

- (1) The modifications must conform to those described in and attached to the petition.
- (2) Traffic control devices must comply with all applicable standards specified in the U.S. Department of Transportation Manual on Uniform Traffic Control Devices.
- (3) Upon completion of the modifications authorized herein, the County 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 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 February 8, 2018.

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 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 website. 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).