

**BEFORE THE WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION**

In the Matter of the Petition of

CITY OF GRANDVIEW,

Petitioner,

CENTRAL WASHINGTON RAILROAD
COMPANY; BNSF RAILWAY CO.,

Respondents.

DOCKET TR-230371

ORDER 01

GRANTING PETITION TO MODIFY
A RAILROAD-HIGHWAY GRADE
CROSSING

USDOT: 101866R

BACKGROUND

- 1 On May 17, 2023, the City of Grandview (City or Petitioner) filed with the Washington Utilities and Transportation Commission (Commission) a petition (Petition) seeking approval to modify a public railroad-highway grade crossing at the intersection of Division Street and a Central Washington Railroad Company (Central Washington Railroad) industry track in Grandview, identified as USDOT 101866R. This track is operated by Central Washington Railroad but owned by BNSF Railway Co. (BNSF).
- 2 Respondents Central Washington Railroad and BNSF consented to entry of an Order by the Commission without further notice or hearing.
- 3 Division Street is a three-lane urban collector city street with a posted vehicle speed limit of 25 miles per hour. Division Street crosses a Central Washington Railroad industry track at this location. Average annual daily traffic through the crossing is estimated at 2,200 vehicles. Division Street is not part of an established truck route or school bus route.
- 4 Warning devices at the Division Street crossing consist of advance warning signs, reflectorized crossbucks, yield signs, and Emergency Notification System signs. Authorized maximum speed for freight trains is 10 miles per hour, however no trains currently operate over this crossing.
- 5 The City proposes to reduce the width of Division Street and install new curbs, gutters, and sidewalks on both sides of the roadway. The sidewalks will comply with the

Americans with Disabilities Act (ADA), will terminate against the southern edge of the crossing surface, and will not extend through the crossing.

6 In describing the public safety need for these modifications in its Petition, the City states that there are no existing, safe pedestrian facilities between the mainline and industry tracks that are ADA compliant. The proposed changes will improve safety for pedestrians approaching the crossing from the south.

7 According to the Petition, the parties have reached an agreement related to apportionment of costs.

8 Commission staff (Staff) has investigated the Petition and recommends that it be granted subject to the following conditions: (1) the project must conform to the description in the Petition, (2) the City must complete the proposed modifications within three years, and (3) upon completion of the project authorized herein, the City must notify the Commission within 60 days. Acceptance is subject to inspection by Staff, verifying that the crossing is in full compliance with applicable laws, regulations, and the conditions specified herein.

DISCUSSION

9 RCW 81.53.060 requires that the Commission grant approval prior to modification of a public railroad-highway grade crossing within the state of Washington. We find that the proposed modifications will improve safety, mobility, and convenience for pedestrians using the crossing. Accordingly, the Commission grants the Petition subject to the conditions that Staff recommends.

FINDINGS AND CONCLUSIONS

- 10 (1) The Commission is an agency of the state of Washington having jurisdiction over public railroad-highway grade crossings within Washington.
- 11 (2) The Division Street crossing, identified as USDOT 101866R, is a public railroad-highway grade crossing within the state of Washington.
- 12 (3) RCW 81.53.060 requires that the Commission grant approval prior to modifying a public railroad-highway grade crossing within the state of Washington. See also WAC 480-62-150.
- 13 (4) Staff investigated the Petition and recommends that it be granted with the conditions set out in paragraph 8, above.

- 14 (5) This matter came before the Commission at its regularly scheduled open meeting on June 15, 2023.
- 15 (6) After reviewing the Petition filed by the City on May 17, 2023, and giving consideration to all relevant matters and for good cause shown, the Commission grants the Petition.

ORDER

THE COMMISSION ORDERS:

- 16 The City of Grandview's Petition to modify a public railroad-highway grade crossing located at the intersection of Division Street and Central Washington Railway Company's tracks is granted. Approval of the Petition is subject to the following conditions:
- (1) The project must conform to the description in the Petition.
 - (2) The City of Grandview must complete the proposed modifications within three years.
 - (3) Upon completion of the project authorized herein, the City of Grandview must notify the Commission within 60 days. Acceptance is subject to inspection by Staff, verifying that the crossing is in full compliance with applicable laws, regulations, and the conditions specified herein.
- 17 The Commissioners, having determined this Order to be consistent with the public interest, directed the Secretary to enter this Order.

DATED at Lacey, Washington, and effective June 15, 2023.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

AMANDA MAXWELL
Executive Director and Secretary