

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

THE BURLINGTON NORTHERN	)	DOCKET NO. TR-032015
SANTA FE RAILWAY	)	
COMPANY,	)	ORDER NO. 01
	)	
Petitioner,	)	
	)	ORDER GRANTING PETITION TO
v.	)	UPGRADE RAILROAD WARNING
	)	DEVICES AT LATERAL 1 ROAD
YAKIMA COUNTY,	)	
	)	USDOT: 099177T
Respondent.	)	WUTC: 1C 80.60
.....	)	

**BACKGROUND**

- 1     On December 8, 2003, Yakima County filed a petition with the Commission, seeking approval to upgrade warning devices at a railroad-highway grade crossing. The crossing is located at the intersection of Lateral 1 Road and tracks of the Burlington Northern Santa Fe Railway Company (BNSF), in the SW ¼ of the SE ¼ of Section 33, Township 12 N., Range 19 E., W.M., in Yakima County, Washington. On July 29, 2004, BNSF filed a petition with the Commission that was identical to the petition originally filed by Yakima County on December 8, 2003. It was subsequently determined that the parties preferred that BNSF was listed as Petitioner and Yakima County as Respondent in the proceeding. Funding for the upgrades is pursuant to the Inter-modal Surface Transportation Efficiency Act, in cooperation with the Washington State Department of Transportation.
- 2     Yakima County, as Respondent, has consented to an entry of an Order by the Commission without further notice or hearing.
- 3     In the vicinity of the crossing, Lateral 1 Road is classified as a rural local road, with one lane for each direction of traffic. Although Yakima County lists the legal roadway speed at 50 mph, the presence of stop sign-controlled roadway

intersections within 200 feet on either side of the railroad-highway grade crossing significantly restricts vehicular speed over the grade crossing. Sight distance at the crossing is partially obscured by an obtuse crossing angle and ascending roadway grades towards the tracks. Average daily traffic through the crossing is estimated at 300 vehicles, including 15 trucks and two school bus trips. Daily traffic is expected to reach 500 by 2025.

4 Petitioner maintains one mainline track through the crossing. Average daily train traffic includes six freight trains, traveling at a maximum speed of 49 mph.

5 Warning devices at the crossing consist of passive devices, including stop signs. Petitioner seeks to install shoulder-mounted flashing light signals with gates. The upgrades are proposed in the interest of improving safety for roadway users.

#### 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 Lateral 1 Road grade crossing, identified as USDOT 099177T, is a public railroad-highway grade crossing within the state of Washington.

8 (3) RCW 81.53.261 requires that the Commission grant approval prior to a change in the method and manner of traffic control at public railroad-highway grade crossings within the state of Washington.

9 (4) Commission Staff investigated the petition and recommended that it be granted, subject to specified conditions.

10 (5) This matter was brought before the Commission at its regularly scheduled meeting on August 11, 2004.

- 11 (6) After examination of the petition filed by the Burlington Northern Santa Fe Railway Company on July 29, 2004, 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 the Burlington Northern Santa Fe Railway Company to upgrade warning devices at a railroad-highway grade crossing, located at the intersection of Lateral 1 Road and the petitioner's tracks, in Yakima County, Washington, is granted, subject to the following conditions:
- (1) The upgrades must conform to the plans filed in this proceeding.
  - (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) Traffic control devices and instrument housing must be installed in such a manner as to provide required clearances from both the roadway and railroad tracks.
  - (4) Prior to activation of the warning signals, Yakima County must remove the stop signs that currently serve as warning devices at the grade crossing.
  - (5) Upon completion of the upgrades authorized herein, Petitioner must notify the Commission. 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 RCW 81.53.261, directed the Secretary to enter this Order.

DATED at Olympia, Washington, and effective this 11<sup>th</sup> day of August 2004.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

CAROLE J. WASHBURN, Secretary