

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

TACOMA RAIL,)	DOCKET NO. TR-041472
)	
Petitioner,)	ORDER NO. 01
)	
v.)	
)	ORDER GRANTING PETITION TO
THE WASHINGTON STATE)	UPGRADE RAILROAD WARNING
DEPARTMENT OF)	DEVICES AT SR-706 (ELBE)
TRANSPORTATION,)	
)	USDOT: 397178W
Respondent.)	WUTC: 20G 44.90
.....)	

BACKGROUND

- 1 On August 13, 2004, Tacoma Rail 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 SR-706 and the petitioner’s tracks, in the SW ¼ of the SW ¼ of Section 21, Township 15 N., Range 5 E., W.M., in Elbe, Washington. Funding for the upgrades is pursuant to the Inter-modal Surface Transportation Efficiency Act, in cooperation with the Washington State Department of Transportation.
- 2 Respondent has consented to an entry of an Order by the Commission without further notice or hearing.
- 3 In the vicinity of the crossing, SR-706 is classified as an arterial roadway, with one lane for each direction of traffic, as well as bus/truck pullout lanes in each direction. The posted vehicle speed limit through the crossing is 55 mph. The roadway crosses Tacoma Rail’s tracks at a sharp acute angle. Average daily traffic through the crossing is estimated at 5,000 vehicles, including school bus and truck traffic.

4 Petitioner maintains one mainline track through the crossing. Average daily
train traffic includes two freight trains, traveling at a maximum speed of 20 mph.
Daily train traffic is expected to increase to four by 2006.

5 Warning devices at the crossing consist of old “rotatable” cantilever-mounted
signals. Petitioner seeks to install walkout cantilever-mounted signals, as well as
upgrade train detection circuitry. 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 SR-706 grade crossing, identified as USDOT 397178W, 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 November 10, 2004.

11 (6) After examination of the petition filed by Tacoma Rail on August 13, 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 Tacoma Rail to upgrade warning devices at a railroad-highway grade crossing, located at the intersection of SR-706 and the petitioner's tracks, in Elbe, Washington, is granted, subject to the following conditions:

- (1) The upgrades must conform to the specifications 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) 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 10th day of November, 2004.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

CAROLE J. WASHBURN, Secretary