

**BEFORE THE WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION**

In the Matter of the Petition of
FRANKLIN COUNTY,

Petitioner,

BNSF RAILWAY COMPANY,

Respondent.

DOCKET TR-190207

ORDER 01

ORDER GRANTING PETITION TO
MODIFY WARNING DEVICES AT A
PUBLIC HIGHWAY-RAIL GRADE
CROSSING AT HAILEY ROAD NEAR
MESA

USDOT: 089696T

BACKGROUND

- 1 On March 28, 2019, Franklin County (County or Petitioner), filed with the Washington Utilities and Transportation Commission (Commission), a petition seeking approval to modify warning devices at a railroad-highway grade crossing located at Hailey Road near Mesa, identified as USDOT 089696T.
- 2 In the 2014 Marine and Rail Oil Transportation Study, Commission Staff (Staff) identified the Hailey Road crossing as an under-protected crossing along an oil route, based on identified risk factors and existing levels of protection at the crossing. Staff conducted an on-site diagnostic review of the crossing with representatives from BNSF Railway Company (BNSF) and the County. As a team, the participants agreed on a future course of action to improve safety. This project addresses long-term safety improvements identified at the crossing.
- 3 BNSF consented to entry of an Order by the Commission without further notice or hearing.
- 4 Hailey Road is a two-lane rural local road with a posted vehicle speed limit of 50 miles per hour. Average annual daily traffic through the crossing is estimated at 12 vehicles. Hailey Road is not part of an established truck or school bus route.
- 5 Warning devices at the Hailey Road crossing consist of advance warning signs, yield signs and crossbucks. BNSF operates 40 freight trains over this single mainline track

crossing daily at 60 miles per hour. Two passenger trains travel over the crossing daily at 75 miles per hour.

6 The proposed changes to the Hailey Road crossing include installation of solar-powered, flashing “Stop Ahead” and “Stop” signs with motion detection on both approaches to the crossing, as well as new advance warning signs and crossbucks. These improvements are funded by the United States Department of Transportation, Federal Highway Administration, Railway-Highway Crossings (Section 130) program.

7 The proposed modifications will improve overall safety for roadway users.

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. *Chapter 81.53 RCW.*

9 (2) The Hailey Road grade crossing, identified as USDOT 089696T, is a public railroad-highway grade crossing within the state of Washington.

10 (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.*

11 (4) Staff investigated the petition and recommended that it be granted with conditions.

12 (5) After examination of the petition filed by the County on March 28, 2019, and giving consideration to all relevant matters and for good cause shown, the Commission grants the petition.

ORDER

THE COMMISSION ORDERS:

13 The petition of Franklin County to modify a railroad-highway grade crossing located at Hailey Road near Mesa 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, Franklin County must notify the Commission within 60 days. Acceptance of the changes is subject to inspection by 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-180762. The Secretary finds this Order to be consistent with the public interest.

DATED at Olympia, Washington, and effective April 3, 2019.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION



MARK L. JOHNSON, 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).