

**BEFORE THE WASHINGTON  
UTILITIES AND TRANSPORTATION COMMISSION**

In the Matter of the Petition of

WALLA WALLA COUNTY PUBLIC  
WORKS,

Petitioner,

UNION PACIFIC RAILROAD  
COMPANY,

Respondent.

DOCKET TR-200539

ORDER 01

GRANTING PETITION TO INSTALL  
ACTIVE WARNING DEVICES AT A  
PUBLIC HIGHWAY-RAIL GRADE  
CROSSING AT PORT KELLEY  
ROAD IN WALLA WALLA COUNTY

USDOT: 844389C

**BACKGROUND**

- 1 On June 11, 2020, Walla Walla County Public Works (County or Petitioner) filed with the Washington Utilities and Transportation Commission (Commission) a petition (Petition) seeking approval to install active warning devices at a railroad-highway grade crossing located at Port Kelley Road in Walla Walla County, identified as USDOT 844389C.
- 2 Respondent Union Pacific Railroad Company (UPRR) consented to entry of a Commission order without further notice or hearing.
- 3 Port Kelley Road is a two-lane roadway with a posted vehicle speed limit of 25 miles per hour. Average annual daily traffic through the crossing is estimated at 127 vehicles. Port Kelley Road is not part of an established school bus route. Port Kelley Road is part of an established truck route with approximately 46 percent commercial vehicle traffic.
- 4 Warning devices at the Port Kelley crossing consist of advance warning signs, crossbucks, and stop signs. UPRR operates 10 freight trains per day over this single mainline track crossing at up to 40 miles per hour. No passenger trains travel over the crossing.
- 5 As part of this project:
  - UPRR will install mast-mounted LED flashing lights and gates.
  - The County will install guardrails to protect railroad active warning devices. The County will also refresh signage and pavement markings.

6 These improvements are funded by the United States Department of Transportation, Federal Highway Administration, Railway-Highway Crossings (Section 130) program and will improve the overall safety of the crossing.

7 Commission staff (Staff) has investigated the Petition and recommends that it be granted 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, and (3) the County must notify the Commission within 60 days upon completion of the modifications authorized herein. Acceptance of the changes is subject to inspection by Staff, who will verify that the crossing is in full compliance with applicable laws, regulations, and the conditions specified herein.

### DISCUSSION

8 RCW 81.53.261 requires that the Commission grant approval prior to modifying a public railroad-highway grade crossing within the state of Washington. We find that the proposed modifications will improve overall safety for roadway users. Accordingly, the Commission grants the Petition subject to the conditions that Staff recommends.

### FINDINGS AND CONCLUSIONS

- 9 (1) The Commission is an agency of the State of Washington having jurisdiction over public railroad-highway grade crossings within the state of Washington.
- 10 (2) The Port Kelley Road grade crossing, identified as USDOT 844389C, is a public railroad-highway grade crossing within the state of Washington.
- 11 (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.
- 12 (4) Staff investigated the Petition and recommends that it be granted with the conditions set out in paragraph 7, above.
- 13 (5) After examining the Petition filed by the County on June 11, 2020, and giving consideration to all relevant matters and for good cause shown, the Commission grants the Petition.

**O R D E R**

**THE COMMISSION ORDERS:**

- 14 Walla Walla County Public Works' Petition to install active warning devices at a railroad-highway grade crossing located at Port Kelley Road is granted, 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) Walla Walla County Public Works must notify the Commission within 60 days upon completion of the modifications authorized herein. Acceptance of the changes is subject to inspection by Staff, who will verify that the crossing is in full compliance with applicable laws, regulations, and the conditions specified herein.
- 15 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 Lacey, Washington, and effective June 22, 2020.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

*/s/ Mark L. Johnson*  
MARK L. JOHNSON,  
Executive Director and Secretary

**NOTICE TO PARTIES: This is an order delegated to the Executive Secretary for decision. As authorized in WAC 480-07-904(3), you must file any request for Commission review of this order no later than 14 days after the date the decision is posted on the Commission's website.**