

BEFORE THE OFFICE OF THE COMMISSIONER OF RAILROADS

STATE OF WISCONSIN

On the Commissioner's Own Motion for The Improvement of Safety at the 43 Grade Crossings of the Union Pacific Railroad Co. Tracks in Multiple Counties

9040-RX-1179

NOTICE OF INVESTIGATION
AND ASSESSMENT OF COSTS
AND FINDINGS OF FACT AND ORDER

The Commissioner of Railroads directed the staff of the Office of the Commissioner of Railroads (OCR) to investigate the improvement of safety under §195.28, Stats., at 16 grade crossings of the Union Pacific Railroad Co. (UP) tracks in multiple counties. A list of the crossings is attached as Appendix A. Minor adjustments may be made to this list from time-to-time without notice.

NOTICE IS HEREBY GIVEN that the OCR will investigate this matter and issue an appropriate order without a public hearing.

PLEASE NOTE: The Office finds that the expenses which are reasonably attributable to this investigation will be assessed against the Wisconsin Central Ltd. in accordance with §195.60, Stats., and RR 2.04.

Findings of Fact

THE COMMISSIONER FINDS:

This safety project will upgrade the signal lamps from incandescent to LEDs at 16 crossings on the UP. The OCR has not investigated each location. The purpose of this program is to improve the warning devices at these 16 gated crossings on a system-wide basis.

Light emitting diodes (LED) are a relatively new, but standard application for crossing signals. The LED lamps replace the incandescent bulbs. LEDs have higher conspicuity, a wider cone of vision, and longer life than incandescent lights. LEDs are especially useful on east-west roadways where the rising and setting sun may make the signals difficult to see.

The state will fund the purchase of the LED lamps with state safety funds and the railroad has agreed to provide the labor to install the LEDs in 2004. The railroad estimates that the materials will cost about \$34,945 in total (plus railroad labor).

The project will improve safety for highway users by providing more visible signals. Because LED lamps have a wider cone of vision than incandescent lights, drivers approaching the signals will still be able to see the signals even if they are slightly out of line.

Conclusion of Law

THE COMMISSIONER CONCLUDES:

That the jurisdiction of the Office of the Commissioner of Railroads under §195.28, Stats., extends to this matter. Accordingly, the Office enters an order consistent with the findings of fact.

Order

THE COMMISSIONER ORDERS:

1. That the **Union Pacific Railroad Co.** shall install and maintain LED lamps on the existing signal equipment at 16 grade crossings of their tracks in multiple counties by **December 31, 2004**. The subject crossings are listed in Appendix A, which is incorporated in this order by reference.

2. That the signal installation work herein ordered shall not begin until the district office of the Wisconsin Department of Transportation informs the railroad that they may start such work and such start notice will not be issued until appropriate federal aid or other funding arrangements have been assured. The cost of the new project initiated before the start notice will not be reimbursed with public funds and shall be the responsibility of the railroad.

Dated at Madison, Wisconsin, _____.

By the Office of the Commissioner of Railroads.

Rodney W. Kreunen
Commissioner of Railroads

9040sig1179

OCR NOTICE ROUTING SHEET

Docket #	Railroad
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9040-RX-1179	UP
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Petitioner	Case Type
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OCR	Signals
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MAILING LIST

1. CITY OF West Allis, Clerk
CITY OF Milwaukee, Jeff Mantes
City of St. Francis, Clerk
Village of Pleasant Prairie
Racine County Director of Public Works

Kenosha County Department of Public Works, Division of Highways
Kenosha County Center
19600 75th St.
Bristol WI 53104-9772
2. UP
3. Milwaukee, Kenosha, Racine
4. Basic List

routing