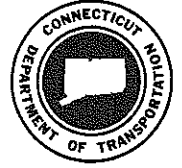




STATE OF CONNECTICUT
DEPARTMENT OF TRANSPORTATION



2800 BERLIN TURNPIKE, P.O. BOX 317546
NEWINGTON, CONNECTICUT 06131-7546
Phone: (860) 594-2863

DOCKET NO. 1207-109-RR

RE: IN THE MATTER OF THE PETITION CONNECTICUT DEPARTMENT OF TRANSPORTATION FROM
THE BUREAU OF ENGINEERING AND CONSTRUCTION TO UPGRADE THE RAILROAD DEVICES AT
THE RAILROAD CROSSING ON OAKWOOD AVENUE IN WEST HARTFORD.

CORRECTED FINAL DECISION

September 14, 2012

I. INTRODUCTION

A. Petitioner's Proposal

By petition dated July 3, 2012, pursuant to Connecticut General Statutes Section 13b-343 and assigned Docket No. 1207-109-RR, the petitioner, Bureau of Engineering and Construction of the Connecticut Department of Transportation (hereinafter "petitioner"), proposes to upgrade the safety devices at the Oakwood Avenue railroad crossing in West Hartford by installing a new traffic control signal at the intersection of Oakwood Avenue, a new pedestrian gate, an upgrade of the existing railroad appurtenances, upgrade the existing crossing surfaces and creating a new maintenance access.

B. Hearing Held

Pursuant to Connecticut General Statutes Section 13b-343, a public hearing on this petition was held at the administrative offices of the Department of Transportation, in Newington, Connecticut on September 6, 2012.

Notice of the petition and hearing to be held thereon was given to the petitioner and to such other parties as deemed necessary by the department. Legal notice to the public was given by publication on the department's website.

The hearing on this matter was conducted by a hearing officer, designated by the Commissioner of Transportation, pursuant to Connecticut General Statutes Section 13b-17.

C. Appearances

Antonio Margiotta with Michael Baker Engineering testified on the proposed crossing upgrades. Mr. Margiotta's mailing address is 500 Enterprise Drive, Suite 2B, Rocky Hill, Connecticut 06067.

Gilbert Smart, Supervising Rail Officer with Rail Regulatory testified for the department.

II. FINDINGS OF FACT

1. The petitioner in this matter is the Department of Transportation's, Bureau of Engineering and Construction (hereinafter "petitioner").

2. The petitioner seeks to upgrade a railroad crossing on Oakwood Avenue in West Hartford as part of CTfastrak (project number 171-305). The proposed upgrade includes installing a new traffic control signal at the intersection of Oakwood Avenue, a new pedestrian gate, an upgrade of the existing railroad appurtenances, an upgrade of the existing crossing surfaces and new maintenance access.

3. The current safety devices at the crossing are cantilever and side mounted railroad flashing lights, railroad vehicular gates, railroad crossing warning signs and pavement markings.

4. The daily vehicular traffic over Oakwood Avenue is approximately 5,100 vehicles per day.

5. The crossing is on the Amtrak Springfield line at mile post 33.57. There are sixteen (16) train movements over the crossing on a daily basis, four (4) freight and twelve (12) passenger trains. The freight trains have a speed of 60

miles per hour and 80 miles an hour for the passenger trains.

6. The crossing upgrade will give the public greater protection.
7. The implementation of the crossing improvements shall be the responsibility of the Connecticut Department of Engineering and Construction (petitioner).
8. The improvements to be implemented are the installation of a new railroad pedestrian gate located on the northeast quadrant of the railroad/highway at-grade crossing, the upgrade of the existing railroad traffic control appurtenances; gates, flashing lights, signing, pavement markings and the modification of the railroad crossing surface. This work will be performed by Amtrak by way of a railroad force account agreement with the petitioner.
9. The crossing improvements will be governed by the provisions of the Department of Transportation's "Standard Specification for Roads, Bridges and Incidental Construction," Form 816, and also shall be in accordance with the standards and specifications of the Association of American Railroads and the American Railway Engineering Association.
10. Upon Completion of the work, Amtrak will continue to be responsible for the maintenance of the railroad appurtenances.
11. The upgrade of the pavement markings and signing will be installed by the petitioner and shall be installed in accordance with the "Manual on Uniform Traffic Control Devices," latest edition.
12. The petitioner will be responsible for the installation and the maintenance of the railroad pre-emption phasing of the traffic control signal.
13. The Rail Regulatory Unit, after receiving the plans and after conducting a review, is in favor of upgrading the crossing.

III. DISCUSSION

The petitioner seeks to upgrade a railroad crossing on Oakwood Avenue in West Hartford. The upgrades include upgrading of the existing railroad traffic control appurtenances, gates, flashing lights, signing and pavement markings and the modification of the railroad crossing surface.

Based on the testimony and evidence presented, the proposed upgrades will make the crossing safer and are in the public interest.

IV. ORDER

Based on the evidence of record and pursuant to Connecticut General Statutes Section 13b-343, the following safety measures and orders shall be undertaken:

1. The petitioner shall be responsible for the implementation of the improvements. The improvements will consist of modernization the existing railroad traffic control appurtenances, gates, flashing lights, signing and pavement markings and the modification of the crossing surface and the installation of a new pedestrian gate.
2. The work will be performed by Amtrak by way of a railroad force account agreement with the petitioner.

3. The proposed work will be governed by the provisions of the Department of Transportation's "Standard Specifications for Roads, Bridges and Incidental Construction," Form 816 and in accordance with the standards and specifications of the Association of American Railroads and the American Railway Engineering Association.

4. Upon completion of the work, Amtrak will be responsible for the maintenance of the railroad appurtenances.

5. The upgrading of the pavement markings and signing will be installed by the petitioner in accordance with the "Manual on Uniform Traffic Control Devices," latest edition.

6. The petitioner will be responsible for the installation and the maintenance of the railroad pre-emption phasing of the traffic control signal.

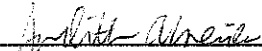
7. The petitioner will be responsible for reimbursement for any flagging protection services deemed necessary by Amtrak during the implementation of the railroad crossing improvements.

8. The petitioner upon completion of the installation of the proposed railroad crossing appurtenances and any other traffic devices will be responsible for contacting the Department's Rail Regulatory Unit in order for an inspection of the railroad/highway at grade crossing to be performed for the approval of the traffic control devices prior to their being put into service.

9. Amtrak has reviewed and approved the crossing design.

Dated at Newington, Connecticut, on this 14th day of September 2012.

CONNECTICUT DEPARTMENT OF TRANSPORTATION



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Bureau of Finance and Administration