

**BEFORE THE WASHINGTON  
UTILITIES AND TRANSPORTATION COMMISSION**

In the Matter of the Application of  CWW LLC,  Applicant,  Requesting Disbursement from the Grade Crossing Protective Fund	DOCKET TR-230986  ORDER 01  GRANTING REQUEST FOR DISBURSEMENT FROM THE GRADE CROSSING PROTECTIVE FUND
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**BACKGROUND**

- 1 On December 1, 2023, CWW LLC (CWW or Applicant) filed with the Commission an application (Application) requesting a disbursement of \$17,286.43 from the Grade Crossing Protective Fund (GCPF) to upgrade warning signs at 100 public and private crossings on the CWW rail lines in Walla Walla and Columbia counties identified in Attachment A. The Applicant will provide the labor needed to install the signs and hardware.
- 2 In its Application, CWW indicates that crossings on its freight line have deteriorating signs, posts, and reflective tape, and that these upgrades are needed to improve visibility of warning devices and public awareness.
- 3 Staff recommends the Commission approve funding in the amount of \$17,286.43. Currently there are funds available to pay for this project.
- 4 Staff recommends the Commission approve the request for funds with the following conditions: (1) expenditure from the GCPF must not exceed \$17,286.43, (2) the work for which the GCPF disbursement is approved must conform to the project description specified in the Application, (3) the Applicant must sign and return the attached project agreement, (4) payment will be made upon presentation of claim for reimbursement and verification by Staff that the work has been satisfactorily completed, and (5) the project must be completed and the associated request for reimbursement from the GCPF, as well as the affidavit of project completion, must be filed with the Commission no later than September 30, 2024.

## DISCUSSION

5 RCW 81.53.281 authorizes the Commission to disburse funds from the GCPF to pay for  
improvements to highway-rail grade crossings. We find that the proposed modifications  
will improve the overall safety for roadway users. Accordingly, the Commission grants  
the Application subject to the conditions that Staff recommends.

## FINDINGS AND CONCLUSIONS

- 6 (1) The Commission is an agency of the State of Washington having authority to  
approve and administer disbursements from the GCPF. RCW 81.53.271; RCW  
81.53.281.
- 7 (2) The project for which the Applicant seeks disbursement from the GCPF is eligible  
for funding consideration under Commission rules and complies with the  
requirements of RCW 81.53.271, RCW 81.53.281, and WAC 480-62.
- 8 (3) Staff investigated the request based on the review criteria specified in the  
Commission's rules and recommended that it be granted with the conditions set  
out in paragraph 4, above.
- 9 (4) This matter came before the Commission at its regularly scheduled meeting on  
December 21, 2023.
- 10 (5) After reviewing CWW's Application and crossing list filed on December 1, 2023,  
and giving due consideration to all relevant matters and for good cause shown, the  
Commission grants the request for disbursement of funds.

## ORDER

### THE COMMISSION ORDERS:

11 CWW LLC's Application for disbursement from the Grade Crossing Protective Fund for  
a project to upgrade warning signs at 100 public and private crossings on the CWW rail  
lines in Walla Walla and Columbia counties is granted, subject to the following  
conditions:

- (1) Expenditure from the Grade Crossing Protective Fund must not exceed  
\$17,286.43.

- (2) The work for which the Grade Crossing Protective Fund disbursement was approved must conform to the project description specified in the Application.
- (3) CWW must sign and return the attached project agreement.
- (4) Payment will be made upon presentation of claim for reimbursement and verification by Staff that the work has been satisfactorily completed.
- (5) The project must be completed and the associated request for reimbursement from the Grade Crossing Protective Fund, as well as the affidavit of project completion, must be filed with the Commission no later than September 30, 2024.

12 The Commissioners, having determined this Order to be consistent with the public interest, directed the Secretary to enter this Order.

DATED at Lacey, Washington, and effective December 21, 2023.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

KATHY HUNTER  
Acting Executive Director and Secretary