

**BEFORE THE WASHINGTON STATE
UTILITIES AND TRANSPORTATION COMMISSION**

In the Matter of the Application of)	DOCKET TR-061601
)	
CITY OF AUBURN)	ORDER 02
)	
Petitioner,)	
)	
)	ORDER RESCINDING ORDER 01
Requesting Rescission of)	GRANTING DISBURSEMENT FROM
Disbursement from the Grade Crossing)	THE GRADE CROSSING PROTECTIVE
Protective Fund)	FUND
.....)	

BACKGROUND

1 On October 16, 2006, the City of Auburn filed an application with the Washington Utilities and Transportation Commission (Commission) requesting disbursement of \$10,000 from the Commission’s Grade Crossing Protective Fund (GCPF) to pay for a project related to pedestrian safety. The city planned to install 250 feet of fencing between the tracks of BNSF Railway Company and West Main Street in Auburn, Washington. On December 13, 2006, the Commission approved this filing. On June 29, 2007, the City of Auburn contacted the Commission by electronic mail and explained it was not able to secure a lease agreement with BNSF Railway Company this year.

FINDINGS AND CONCLUSIONS

- 2 (1) The Washington Utilities and Transportation Commission is an agency of the State of Washington having authority to approve and administer disbursements from the Grade Crossing Protective Fund. *RCW 81.53.271 and RCW 81.53.281.*
- 3 (2) Commission staff agrees with the City of Auburn’s request to rescind Order 01 and reconsider the project during the next call for projects in the 2007-2009 biennium.
- 4 (3) This matter was brought before the Commission at its regularly scheduled meeting on July 11, 2007.
- 5 (5) After giving consideration to all relevant matters and for good cause shown, the Commission grants the request to rescind Order 01 granting disbursement from

the Grade Crossing Protective Fund of and reconsider the application during the next call for projects, scheduled for the 2007-2009 biennium.

ORDER

THE COMMISSION ORDERS:

- 6 (1) The request of the City of Auburn, to rescind Order 01, granting disbursement from the Grade Crossing Protective Fund for the pedestrian safety project on West Main Street, is granted. The project will be considered during the next call for projects scheduled for the 2007-2009 biennium.

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

DATED at Olympia, Washington, and effective July 11, 2007.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

CAROLE J. WASHBURN, Executive Secretary