

**BEFORE THE WASHINGTON  
UTILITIES AND TRANSPORTATION COMMISSION**

<p>In the Matter of the Application of  CWW LLC, YAK RAIL LLC,  Applicants,  Requesting Disbursement from the Grade Crossing Protective Fund</p>	<p>DOCKET TR-240574  ORDER 01  GRANTING REQUEST FOR DISBURSEMENT FROM THE GRADE CROSSING PROTECTIVE FUND</p>
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**BACKGROUND**

- 1 On July 25, 2024, CWW LLC (CWW or Applicant) filed with the Commission an application (Application) requesting a disbursement of \$17,320.50 from the Grade Crossing Protective Fund (GCPF) to purchase “No Trespassing” signs and security cameras for crossings located on CWW rail lines in Walla Walla county and Yak Rail LLC (Yak Rail) rail lines in Yakima county.
- 2 CWW and Yak Rail are separate railroad companies that share staffing resources. Because the Application included signs and equipment to be utilized by both railroads, Commission Staff (Staff) required CWW LLC to submit a revised joint application with Yak Rail. On October 3, 2024, CWW and Yak Rail filed a revised Application clarifying how the signs and security cameras would be utilized on each railroad.
- 3 In the joint Application, CWW and Yak Rail state that pedestrians use the railroad tracks as a foot path and sometimes vandalize or leave objects on railroad tracks or property. "No Trespassing" signs will be installed to warn pedestrians and enable local authorities to pursue action against trespassers. Security cameras will be installed on railroad signal bungalows to help identify trespassers who vandalize railroad property. The cameras will also help railroad personnel identify potential hazards on the tracks or on railroad property prior to the train running its route. In addition, the cameras will capture train/vehicle collisions or accidents that occur at these locations and provide railroad signal maintainers the ability to remotely view possible signal system anomalies.
- 4 CWW and Yak Rail state that this project should reduce the amount of people trespassing on railroad tracks, thereby increasing pedestrian and locomotive engineer safety. The Applicants report that a similar project at the Port of Benton, where “No Trespassing” signs and security cameras are currently installed, has resulted in a reduction in

trespassing and improved the railroad's ability to react to signal system issues more efficiently.

5 CWW and Yak Rail are requesting \$17,320.50 to purchase 54 camera packs, 22 router packs, 81 "No Trespassing" signs, and 75 signposts. CWW is contributing labor and any extra costs over the approved grant amount.

6 Staff evaluated the Application and recommends that the Commission approve funding in the amount of \$17,320.50. Currently there are funds available to pay for this project.

7 Staff recommends the Commission approve the request for funds with the following conditions: (1) expenditure from the GCPF must not exceed \$17,320.50, (2) the work for which the GCPF disbursement is approved must conform to the project description specified in the joint Application, (3) the Applicants 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 GCPF, as well as the affidavit of project completion, must be filed with the Commission no later than June 1, 2025, and (6) CWW and Yak Rail must evaluate and demonstrate the effectiveness of the project, including collecting data on trespass incidents and how the railroads utilized information obtained through the cameras, and provide the results of those evaluations to the Commission when applying for similar funding in a future GCPF grant cycle.

### DISCUSSION

8 RCW 81.53.281 authorizes the Commission to disburse funds from the GCPF to pay for rail safety projects. We find that the proposed modifications will assist the railroads in assessing rail trespassing incidents and accidents, monitor its signal systems, and will increase public safety. Accordingly, the Commission grants the Application subject to the conditions that Staff recommends.

### FINDINGS AND CONCLUSIONS

9 (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.

- 10 (2) The project for which the Applicants seek 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.
- 11 (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 7, above.
- 12 (4) This matter came before the Commission at its regularly scheduled meeting on October 24, 2024.
- 13 (5) After reviewing CWW and Yak Rail's Application filed on July 25, 2024, and the revised joint Application filed on October 3, 2024, 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:

- 14 CWW LLC and Yak Rail LLC's Application for disbursement from the Grade Crossing Protective Fund to purchase and install "No Trespassing" signs and security cameras on the CWW LLC rail line in Walla Walla county and Yak Rail LLC rail line in Yakima county is granted, subject to the following conditions:
- (1) Expenditure from the Grade Crossing Protective Fund must not exceed \$17,320.50.
  - (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 LLC and Yak Rail LLC 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 June 1, 2025.

- (6) CWW and Yak Rail must evaluate and demonstrate the effectiveness of the project, including collecting data on trespass incidents and how the railroads utilized information obtained through the cameras, and provide the results of those evaluations to the Commission with any application for similar funding in a future GCPF grant cycle.

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 October 24, 2024.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

JEFF KILLIP  
Executive Director and Secretary