

**BEFORE THE WASHINGTON  
UTILITIES AND TRANSPORTATION COMMISSION**

In the Matter of the Petition of  
  
CITY OF MILLWOOD,  
  
Petitioner,  
  
Requesting Extension of Time to  
Complete Project Funded from the  
Grade Crossing Protective Fund

DOCKET TR-161023  
  
ORDER 02  
  
ORDER GRANTING EXTENSION OF  
TIME TO COMPLETE PROJECT AND  
SUBMIT REQUEST FOR  
REIMBURSEMENT  
  
USDOT: 662513B

**BACKGROUND**

- 1 On August 23, 2016, the City of Millwood (City) filed with the Washington Utilities and Transportation Commission (Commission), a petition seeking approval to install active warning devices at a railroad-highway grade crossing, identified as USDOT 662513B, on Marguerite Street in the city of Millwood. The petitioner further requested the Commission authorize an expenditure of \$254,222 from the Grade Crossing Protective Fund (GCPF) to pay for a portion of the upgrades.
- 2 On September 19, 2016, the Commission issued an Order approving the request for disbursement from the GCPF and the petition to install active warning devices at the Marguerite Street crossing. The Order required the City to complete the project and submit the associated request for reimbursement by June 15, 2017.
- 3 On January 30, 2017, the City submitted a request for an extension of time to complete the project and submit the request for reimbursement. The City states that the request is due to unforeseen delays in Union Pacific Railroad's construction schedule. Staff recommends that the Commission extend the project completion date until December 31, 2017, to provide additional time for all aspects of the project to be completed within the GCPF project completion deadline.

**FINDINGS AND CONCLUSIONS**

- 4 (1) After reviewing the City's request, and giving due consideration to all relevant matters and for good cause shown, the Commission grants the extension of time to December 31, 2017.

**ORDER**

**THE COMMISSION ORDERS:**

- 5 The request of the City of Millwood for an extension of time to complete the crossing safety upgrades is granted, subject to the following conditions:
- (1) Expenditure from the Grade Crossing Protective Fund must not exceed \$254,333.
  - (2) The work for which the Grade Crossing Protective Fund disbursement was approved must conform to the project description specified in the application.
  - (3) The City must sign and return the attached revised project agreement by February 28, 2017.
  - (4) Payment will be made upon presentation of claim for reimbursement and verification by Commission 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 must be filed with the Commission no later than December 31, 2017.

The Secretary of the Commission has delegated authority over this matter pursuant to Order 01 in Docket A-151775. The Secretary finds this Order to be consistent with the public interest.

DATED at Olympia, Washington, and effective February 13, 2017.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION



STEVEN V. KING, Executive Director and Secretary

**NOTICE:** This is an order delegated to the Secretary for decision. In addition to serving you a copy of the decision, the Commission will post on its Internet Web site for at least fourteen (14) days a listing of all matters delegated to the Secretary for decision. You may seek Commission review of this decision. You must file a request for Commission review of this order no later than fourteen (14) days after the date the decision is posted on the Commission's Web site. The Commission will schedule your request for review for consideration at a regularly scheduled open meeting. The Commission will notify you of the time and place of the open meeting at which the Commission will review the order.

The Commission will grant a late-filed request for review only on a showing of good cause, including a satisfactory explanation of why the person did not timely file the request. A form for late-filed requests is available on the Commission's Web site.

This notice and review process is pursuant to the provisions of RCW 80.01.030 and WAC 480-07-904(2) and (3).