

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

In the Matter of the Application of)	DOCKET TR-061548
)	
CITY OF PACIFIC,)	ORDER 03
)	
Petitioner,)	ORDER GRANTING REQUEST FOR
)	DISBURSEMENT FROM THE GRADE
)	CROSSING PROTECTIVE FUND
Requesting Disbursement from the)	
Grade Crossing Protective Fund)	USDOT: 396596J
.....)	

BACKGROUND

- 1 On September 1, 2006, the Washington Utilities and Transportation Commission (Commission) sent a “Notice of Opportunity to Apply for Grant Monies from the Grade Crossing Protective Fund” in Docket TR-051633 to various interested parties from the public and private sectors that were eligible to apply for Grade Crossing Protective Fund (GCPF) grants.

- 2 On September 27, 2006, the city of Pacific filed an application with the Commission, requesting a disbursement of \$20,000 from the GCPF to pay for a project related to pedestrian safety. The Commission granted the disbursement of the requested funds in Order 01 entered on January 10, 2007.

- 3 On May 3, 2007, the city of Pacific contacted the Commission by telephone and explained the three bids received for the project were higher than the engineering estimates. The city planned to re-bid the next year. In light of this, the Commission rescinded its order granting disbursement of the GCPF funds and the project was held over for consideration during the next call for projects scheduled for the 2007-2009 biennium.

- 4 On August 7, 2007, the Commission sent a “Notice of Opportunity to Apply for Grant Monies from the Grade Crossing Protective Fund” for the 2007-2009 biennium. The city of Pacific’s 2006 application for GCPF funds was again considered for approval.

- 5 The city of Pacific seeks to narrow the roadway section across the roadway and rail intersection at the 3rd Ave. SE crossing and provide continuous sidewalk leading up to and across the tracks.

- 6 A site visit by Commission staff confirms the existence of the safety problem described by the city. The proposal to narrow the roadway and add sidewalks will enhance pedestrian safety at the crossing.
- 7 The city of Pacific seeks \$20,000 to pay for a portion of the total construction cost of \$39,770 for the project. The remaining project funds will be paid through a combination of federal and state grants, as well as city funds. All grants have been secured and obligated. There currently are grant funds available to pay for this portion of the project.

FINDINGS AND CONCLUSIONS

- 8 (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.*
- 9 (2) The project for which the city of Pacific seeks disbursement from the Grade Crossing Protective Fund is eligible for funding consideration under Commission rules and complies with the requirements of RCW 81.53.271 and RCW 81.53.281, and WAC 480-62.
- 10 (3) Commission Staff investigated the request based on the review criteria specified in the Commission's rules and recommended that it be granted, subject to specified conditions for administering the grant.
- 11 (4) This matter came before the Commission at its regularly scheduled meeting on December 27, 2007.
- 12 (5) After reviewing the city of Pacific's application filed on September 27, 2006, and giving consideration to all relevant matters and for good cause shown, the Commission grants the request for disbursement of funds.

ORDER

THE COMMISSION ORDERS:

- 13 The city of Pacific's application for disbursement from the Grade Crossing Protective Fund to narrow the roadway section across the roadway and rail at the 3rd Ave. SE crossing and provide a continuous sidewalk leading up to and across the tracks is granted, subject to the following conditions:

- (1) Expenditure from the Grade Crossing Protective Fund must not exceed \$20,000.
- (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 of Pacific must sign and return the attached project agreement.
- (4) Payment will be made upon presentation of claim for reimbursement for costs incurred 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 June 30, 2008.

The Commissioners, having determined this filing complies with RCW 81.53.030 and RCW 81.53.271, directed the Executive Secretary to enter this Order.

DATED at Olympia, Washington, and effective December 27, 2007.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

CAROLE J. WASHBURN, Executive Secretary