

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

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|---------------------------------------|---|------------------------------|
| In the Matter of the Application of |) | DOCKET TR-110928 |
| |) | |
| SIMPSON LUMBER COMPANY |) | ORDER 02 |
| LLC fka SIMPSON TIMBER |) | |
| COMPANY, |) | ORDER GRANTING EXTENSION OF |
| |) | TIME TO COMPLETE PROJECT AND |
| Petitioner, |) | SUBMIT REQUEST FOR |
| |) | REIMBURSEMENT |
| Requesting an Extension of Time to |) | |
| Complete a Signal Project funded from |) | USDOT # 856761N |
| the Grade Crossing Protective Fund |) | |
| |) | |

BACKGROUND

- 1 On May 19, 2011, Simpson Lumber Company LLC (Simpson Lumber or Petitioner) filed with the Washington Utilities and Transportation Commission (Commission), a petition seeking approval to upgrade active warning devices at a railroad-highway grade crossing. Petitioner further requested the Commission authorize an expenditure of \$4,756.90 from the Grade Crossing Protective Fund (GCPF) to pay for a portion of the project costs. The total cost of the project is \$6,756.90 with Simpson Lumber contributing \$2000 toward labor costs.
- 2 On May 27, 2011, the Commission issued an Order approving the request for disbursement from the GCPF for the proposal to upgrade the flashing lights, power off and gate lamp lights from incandescent to LED type lights. Petitioner will also replace the cross-bucks and install an electronic bell. The crossing is identified as USDOT #856761N and is located at the intersection of Dayton/Airport Road (Airport Road) and the Petitioner’s tracks in Mason County. The upgrades will improve the overall safety at the crossing because motorists and pedestrians can rely on these active warning devices to determine if a train is approaching the crossing. The Order required Simpson Lumber to complete the project and submit the associated request for reimbursement by June 15, 2011.
- 3 On June 1, 2011, Simpson Lumber submitted a request for an extension of time until June 24, 2011, to complete the project and submit the request for reimbursement. Simpson Lumber states that delays in parts availability and shipping are the reasons for the extension of time to complete the project. Staff recommends that the Commission extend

the project completion date until June 24, 2011, 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 Simpson Lumber's request, and giving due consideration to all relevant matters and for good cause shown, the Commission grants the extension of time to June 24, 2011.

ORDER

THE COMMISSION ORDERS:

- 5 The request of Simpson Lumber Company LLC for an extension of time to complete the crossing safety upgrades at the Airport Road crossing is granted, subject to the following conditions:
- (1) Expenditure from the Grade Crossing Protective Fund must not exceed \$4,756.90.
 - (2) The work for which the Grade Crossing Protective Fund disbursement was approved must conform to the project description specified in the application.
 - (3) Simpson Lumber Company LLC must sign and return the attached revised project agreement.
 - (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 June 24, 2011.

The Commissioners have delegated authority to the Executive Secretary to enter this Order pursuant to RCW 80.01.030 and WAC 480-07-904((1)(a)).

DATED at Olympia, Washington, and effective June 6, 2011.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

DAVID W. DANNER, 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).