

**BEFORE THE WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION**

In the Matter of the Application of

YAKIMA COUNTY PUBLIC
SERVICES

Petitioner,

Requesting Disbursement from the
Grade Crossing Protective Fund

DOCKET NO. TR-160188

ORDER NO. 02

ORDER RESCINDING GRADE
CROSSING PROTECTIVE FUND
GRANT

BACKGROUND

- 1 On February 17, 2016, the Washington Utilities and Transportation Commission (Commission) entered an order granting a petition by Yakima County Public Services (Yakima County) for a disbursement from the Grade Crossing Protective Fund (GCPF) totaling \$20,000. The grant was to provide partial funding for a project related to upgrading the active warning devices at a railroad-highway grade crossing, identified as USDOT 099216G, located at Lateral A Road and the White Swan Branch Line's tracks in Yakima county.
- 2 On December 7, 2016, Yakima County submitted a letter requesting to withdraw its petition for GCPF funds. After receiving grant approval from the Commission, Yakima County prepared plans and specifications for the project and advertised it for bid in April 2016. Unfortunately, the lowest bid received was 50 percent over the engineer's estimate. As conditions exist, Yakima County predicts that even after revising plans and scaling down the scope of the project, the project costs would be too high and the county does not have funds to cover cost overruns.

FINDINGS AND CONCLUSIONS

- 3 (1) On February 17, 2016, the Commission approved a petition by Yakima County for a Grade Crossing Protective Fund disbursement of \$20,000. The disbursement was approved after considering the relative priorities of all funding applications pending at the time.

- 4 (2) The Commission's approval of the petition included a condition that the funds be used by December 31, 2016.
- 5 (3) On December 7, 2016, Yakima County, having determined that the project could not be completed by the required date, filed a letter requesting to withdraw its petition for grant funds.

ORDER

THE COMMISSION ORDERS:

- 6 (1) The Grade Crossing Protective Fund grant awarded to Yakima County Public Services is rescinded, thereby returning the amount of \$20,000 to the Grade Crossing Protective Fund account for further disbursement consideration.

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 December 8, 2016.

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 website 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 website.

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