

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

In the Matter of the Application of	)	DOCKET TR-100190
)	
PORT OF CHEHALIS,	)	ORDER 02
)	
Petitioner,	)	ORDER GRANTING ADDITIONAL
	)	EXPENDITURE FROM THE GRADE
	)	CROSSING PROTECTIVE FUND AND
Requesting Additional Expenditure	)	EXTENSION OF TIME TO COMPLETE
and Extension of Time to Complete a	)	PROJECT AND SUBMIT REQUEST
Signal Project funded from the Grade	)	FOR REIMBURSEMENT
Crossing Protective Fund)	
.....	)	USDOT # 848701J

BACKGROUND

- 1 On January 26, 2010, the Port of Chehalis (Port of Chehalis or the Petitioner) filed a petition with the Commission, requesting disbursement of \$10,114 from the Grade Crossing Protective Fund (GCPF) to pay for a project related to crossing safety.
- 2 The total cost of the project is \$10,114 with the Port of Chehalis contributing toward labor costs.
- 3 On February 17, 2010, the Commission issued an Order approving the request for disbursement from the GCPF for the proposal to replace the obsolete incandescent lights with LED type lights, replace the cross-bucks and upgrade the train detection from PMD-2 to PMD-3. The crossing is identified as USDOT # 848701J and is located at the intersection of State Route 6 (SR-6) and the Petitioner’s tracks in the City of Adna. 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 LEDs will increase visibility of the flashing lights for motorists and pedestrians using the crossing. The Order required the Port of Chehalis to complete the project and submit the associated request for reimbursement by October 1, 2010.
- 4 On September 13, 2010, the Port of Chehalis submitted a request for an extension of time until January 1, 2011, to complete the project and submit the request for reimbursement. Staff recommends that the Commission extend the project completion date until May 1, 2011, to provide additional time for all aspects of the project to be completed within the GCPF project completion deadline.

- 5 On September 15, 2010, the Port of Chehalis submitted a request for an additional expenditure of \$5,880 to cover unexpected labor costs. In the original petition, the Port of Chehalis anticipated that the operating railroad, the Chehalis-Centralia Railroad and Museum (Chehalis-Centralia Railroad) would be contributing labor costs. Unfortunately circumstances have changed and the original contractor is no longer able to perform the upgrades and the Chehalis-Centralia Railroad is no longer able to contribute toward the cost of labor. Thus, the Port of Chehalis is seeking additional funding from the GCPF to cover labor costs. The total amended expenditure amount is \$15,994.

FINDINGS AND CONCLUSIONS

- 6 (1) After reviewing the Port of Chehalis' request, and giving due consideration to all relevant matters and for good cause shown, the Commission grants the extension of time to May 1, 2011 and the additional expenditure of \$5,880, for a total expenditure of \$15,994.

ORDER

THE COMMISSION ORDERS:

- 7 The request of the Port of Chehalis for an extension of time to complete the crossing safety upgrades and increase the expenditure amount at the SR-6 crossing is granted, subject to the following conditions:
- (1) Expenditure from the Grade Crossing Protective Fund must not exceed \$15,994.
 - (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 Port of Chehalis 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 May 1, 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 September 17, 2010.

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).