BEFORE THE WASHINGTON STATE
UTILITIES AND TRANSPORTATION COMMISSION

In the Matter of the Application of	)	DOCKET TR-111859
	)	
BNSF RAILWAY CO.,	)	ORDER 02
	)	
Applicant,	)	ORDER GRANTING EXTENSION OF
	)	TIME TO COMPLETE PROJECT AND
	)	SUBMIT REQUEST FOR
	)	REIMBURSEMENT
Requesting Extension of Time to	)	
Complete Project funded from the	)	
Grade Crossing Protective Fund	)	
. . . .	)	

BACKGROUND

1   On October 26, 2011, BNSF Railway Co. (BNSF or the Applicant) filed with the Commission an application requesting a disbursement of $20,000 from the GCPF to pay for a project related to closing of a highway-rail crossing and improving the configuration of the alternate route crossing. Total project costs are estimated at $69,072 with BNSF paying for all costs exceeding $20,000.

2   On November 23, 2011, the Commission issued an Order approving the request for disbursement from the GCPF for the proposal to close a highway-rail crossing and improve the configuration of the alternate route crossing. The Order required BNSF to complete the project and submit the associated request for reimbursement by April 1, 2012.

3   On March 21, 2012, BNSF submitted a request for an extension of time until June 15, 2012, to complete the project and submit the request for reimbursement. BNSF states delays in receiving materials and manpower shortages have caused delays in completing the project. Staff recommends that the Commission extend the project completion date until August 1, 2012, 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 BNSF's request, and giving due consideration to all relevant matters and for good cause shown, the Commission grants the extension of time to August 1, 2012.

O R D E R

THE COMMISSION ORDERS:

5   The request of BNSF Railway Co. for an extension of time to complete the crossing
closure and improvement of an adjacent crossing 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)   BNSF Railway Co. must sign and return the attached revised project
> agreement by April 15, 2012.

> (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 August 1, 2012.

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 March 27, 2012.

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).