

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

In the Matter of the Application of	)	DOCKET TR-060107
	)	
CITY OF SULTAN,	)	ORDER 02
	)	
Petitioner,	)	ORDER RESCINDING ORDER 01
	)	GRANTING DISBURSEMENT FROM
	)	THE GRADE CROSSING PROTECTIVE
	)	FUND
Requesting Rescission of	)	
Disbursement from the Grade Crossing	)	USDOT: 084546T
Protective Fund	)	UTC: 2A1760.40
.....	)	

**BACKGROUND**

1 On January 19, 2006, the City of Sultan (city) filed an application with the Washington Utilities and Transportation Commission (Commission) requesting disbursement of \$20,000 from the GCPF to pay for a project related to crossing safety. The city planned to upgrade the BNSF Railway crossing at Foundry Road in Sultan, Washington. On August 16, 2006, the Commission approved this filing and required the city to complete the work by June 30, 2007. On March 28, 2007, the city contacted the Commission by electronic mail and explained the developer they contracted with to perform the work delayed the project and it would not start or finish the project by June 30, 2007.

**FINDINGS AND CONCLUSIONS**

- 2 (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.*
- 3 (2) Commission staff agrees with the city’s request to rescind Order 01 and reconsider the project during the next call for projects in the 2007-2009 biennium.
- 4 (3) This matter was brought before the Commission at its regularly scheduled meeting on May 9, 2007.
- 5 (5) After giving consideration to all relevant matters and for good cause shown, the Commission grants the request to rescind Order 01 granting disbursement from

the Grade Crossing Protective Fund of and reconsider the application during the next call for projects, scheduled for the 2007-2009 biennium.

**ORDER**

**THE COMMISSION ORDERS:**

- 6 The request of the City of Sultan to rescind Order 01, granting disbursement from the Grade Crossing Protective Fund for the crossing upgrade at Foundry Road in Sultan, Washington, is granted. The project will be considered during the next call for projects scheduled for the 2007-2009 biennium.
- 7 The Commissioners, having determined this Order to be consistent with the public interest, directed the Secretary to enter this Order.

DATED at Olympia, Washington, and effective May 9, 2007.

**WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION**

CAROLE J. WASHBURN, Executive Secretary