

**BEFORE THE WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION**

In the Matter of the Petition of

CITY OF TACOMA,

 Petitioner,

Requesting Extension of Time to
Complete Project Funded from the
Grade Crossing Protective Fund

DOCKET TR-171000

ORDER 02

ORDER GRANTING EXTENSION OF
TIME TO COMPLETE PROJECT AND
SUBMIT REQUEST FOR
REIMBURSEMENT

USDOT: 085730J

BACKGROUND

- 1 On September 26, 2017, the City of Tacoma (City or Petitioner) filed with the Washington Utilities and Transportation Commission (Commission), a petition seeking approval to modify active warning devices at a railroad-highway grade crossing. The crossing is identified as USDOT 085730J and is located at the intersection of McCarver Street and the Respondent's tracks in the city of Tacoma. The Petitioner further requested the Commission authorize an expenditure of \$50,000 from the Grade Crossing Protective Fund (GCPF) to pay for a portion of the cost of the upgrades.
- 2 On October 10, 2017, the Commission issued an Order approving the request for disbursement from the GCPF and the petition to modify the active warning devices at the McCarver Street crossing. The Order required the City to complete the project and submit the associated request for reimbursement by April 2, 2018.
- 3 On March 5, 2018, the City submitted a request for an extension of time to complete the project and submit the request for reimbursement. The City states that additional time is required in order to finalize the construction agreement with BNSF Railway Company and to allow sufficient time for construction of the project.
- 4 Staff recommends that the Commission extend the project completion date until January 31, 2019, to provide additional time for all aspects of the project to be completed within the GCPF project completion deadline.

FINDINGS AND CONCLUSIONS

- 5 (1) After reviewing the City's request, and giving due consideration to all relevant matters and for good cause shown, the Commission grants the extension of time to January 31, 2019.

ORDER

THE COMMISSION ORDERS:

- 6 The request of the City of Tacoma for an extension of time to complete the crossing safety upgrades is granted, subject to the following conditions:
- (1) Expenditure from the Grade Crossing Protective Fund must not exceed \$50,000.
 - (2) The work for which the Grade Crossing Protective Fund disbursement was approved must conform to the project description specified in the application.
 - (3) The City must sign and return the attached revised project agreement by April 30, 2018.
 - (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 January 31, 2019.

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 March 8, 2018.

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 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).