

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

In the Matter of the Application of	)	DOCKET TR-060280
	)	
WASHINGTON OPERATION	)	ORDER 03
LIFESAVER, INC.	)	
	)	
Applicant,	)	
	)	ORDER GRANTING REQUEST FOR
Requesting Disbursement from the	)	DISBURSEMENT FROM THE GRADE
Grade Crossing Protective Fund	)	CROSSING PROTECTIVE FUND
.....	)	

**BACKGROUND**

- 1     On November 14, 2005, the Washington Utilities and Transportation Commission (Commission) sent a “Notice of Opportunity to Apply for Grant Monies from the Grade Crossing Protective Fund” in Docket TR-051633 to various interested parties from the public and private sectors that were eligible to apply for Grade Crossing Protective Fund (GCPF) grants. On January 19, 2006, the Commission issued a notice extending the due date for grant applications to February 17, 2006.
- 2     On February 2, 2006, Washington Operation Lifesaver filed an application with the Commission, requesting a disbursement of \$2,100 from the GCPF to pay for a project related to pedestrian safety. The Commission granted the disbursement of the requested funds in Order 01 entered on June 28, 2006.
- 3     On June 27, 2007, Washington Operation Lifesaver contacted the Commission by electronic mail and explained it was experiencing delays in constructing the gate and planned to install the gate later in the year. In light of that, the Commission rescinded its order granting disbursement of the GCPF funds and the project was held over for consideration during the next call for projects scheduled for the 2007-2009 biennium.
- 4     On August 7, 2007, the Commission sent a “Notice of Opportunity to Apply for Grant Monies from the Grade Crossing Protective Fund” for the 2007-2009 biennium. Washington Operation Lifesaver’s 2006 application for GCPF funds was again considered for approval.
- 5     Washington Operation Lifesaver seeks to install a locking steel pole gate to block public access to the BNSF Railway (BNSF) railroad tracks at milepost 52 on State Route 14 in the Columbia River Gorge.

- 6 Washington Operation Lifesaver notes there is a 25-foot open access between two guardrail sections at this location. Motorists go through the opening, park their vehicles, and cross the railroad tracks to get to the Columbia River. This portion of the tracks is particularly dangerous because of a high-speed blind curve on the rail line approaching this location. BNSF runs 45 freight trains each day on those tracks at a speed of 55 miles per hour. In addition, Amtrak runs four passenger trains daily at 60 miles per hour.
- 7 A site visit by Commission staff confirms the existence of the safety problem described by Washington Operation Lifesaver. The proposed pole gate will limit vehicle access to the tracks in this area.
- 8 Washington Operation Lifesaver seeks \$2,100 to pay for the cost of the gate. There currently are funds available to pay for the project.

#### FINDINGS AND CONCLUSIONS

- 9 (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.*
- 10 (2) The project for which Washington Operation Lifesaver seeks disbursement from the Grade Crossing Protective Fund is eligible for funding consideration under Commission rules and complies with the requirements of RCW 81.53.271, RCW 81.53.281, and WAC 480-62.
- 11 (3) Commission Staff investigated the request based on the review criteria specified in the Commission's rules and recommended that it be granted, subject to specified conditions for administering the grant.
- 12 (4) This matter came before the Commission at its regularly scheduled meeting on December 27, 2007.
- 13 (5) After reviewing Washington Operation Lifesaver's application filed on February 2, 2006, and giving due consideration to all relevant matters and for good cause shown, the Commission grants the request for disbursement of funds.

**O R D E R**

**THE COMMISSION ORDERS:**

14 Washington Operation Lifesaver's application for disbursement from the Grade Crossing Protective Fund for the installation of a pole gate at milepost 52 on State Route 14 in the Columbia River Gorge, is granted, subject to the following conditions:

- (1) Expenditure from the Grade Crossing Protective Fund must not exceed \$2,100.
- (2) The work for which the Grade Crossing Protective Fund disbursement was approved must conform to the project description specified in the application.
- (3) Washington Operation Lifesaver must sign and return the attached 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 June 30, 2008.

The Commissioners, having determined this filing complies with RCW 81.53.030 and RCW 81.53.271, directed the Executive Secretary to enter this Order.

DATED at Olympia, Washington, and effective December 27, 2007.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

CAROLE J. WASHBURN, Executive Secretary