

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

In the Matter of the Application of	)	DOCKET NO. TR-040282
	)	
THE PUGET SOUND AND	)	ORDER NO. 01
PACIFIC RAILROAD COMPANY	)	
	)	
Petitioner,	)	
	)	ORDER DENYING REQUEST FOR
Requesting Disbursement from the	)	DISBURSEMENT FROM THE GRADE
Grade Crossing Protective Fund	)	CROSSING PROTECTIVE FUND
.....	)	

**BACKGROUND**

- 1 On December 12, 2003, the Washington Utilities and Transportation Commission (Commission) sent a “Notice of Opportunity to Apply for Grant Monies from the Grade Crossing Protective Fund” to various interested parties from the public and private sectors that were either directly eligible to apply for Grade Crossing Protective Fund (GCPF) grants, or represented local agencies that were eligible. The notice directed interested parties to submit applications for funding consideration to the Commission by February 17, 2004.
- 2 On February 17, 2004, the Puget Sound and Pacific Railroad Company (PSAP) filed an application with the Commission, requesting disbursement from the Grade Crossing Protective Fund to pay for a project related to improving safety at a private railroad crossing.
- 3 In the vicinity of the project area, a private roadway that serves two manufacturing facilities crosses the PSAP tracks and forms a “T” intersection with Montesano-Elma Road. The distance between the tracks and Montesano-Elma Road is approximately 60 feet. Both the roadway intersection and private grade crossing are equipped with stop signs. Much of the traffic through the crossing includes long trucks that are associated with the manufacturing facilities.

- 4 The short distance between the tracks and a parallel roadway presents a potential hazard with respect to long wheelbase vehicles stopped at the stop sign at the roadway intersection and not being able to sufficiently clear the tracks. To mitigate this hazard, PSAP proposes reconstructing the roadway intersection by widening the radii for turns. The application alleges that creating more turning space at the roadway intersection would increase available storage space for long trucks, and therefore help them to remain clear of the tracks when stopped at the roadway intersection.
- 5 Although Grays Harbor County representatives agreed that the present situation requires mitigation, County Public Works representatives recommended that a more in-depth engineering analysis be conducted to properly design any changes to the existing roadway intersection. The time and resources involved in such a review are not compatible with the current GCPF funding cycle.
- 6 In consideration of the position of Grays Harbor County regarding the project specified in the application, Commission Staff recommended denying any disbursement from the GCPF for this proposal.

### FINDINGS AND CONCLUSIONS

- 7 (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. *Chapter 81.53.271 RCW and 81.53.281 RCW.*
- 8 (2) The project for which disbursement from the Grade Crossing Protective Fund is sought is eligible for funding consideration under the Grade Crossing Protective Fund Policy and Interpretive Statement in Docket No. TR-031384, and complies with the requirements of RCW 81.53.271 and RCW 81.53.281.

- 9 (3) Commission Staff investigated the request based on the review criteria specified in the Grade Crossing Protective Fund Policy and Interpretive Statement in Docket No. TR-031384, and recommended that it be denied.
- 10 (4) This matter was brought before the Commission at its regularly scheduled meeting on June 9, 2004.
- 11 (5) After examination of the application filed by the Puget Sound and Pacific Railroad Company, on February 17, 2004, and giving consideration to all relevant matters and for good cause shown, the Commission denies the railroad's request for disbursement of funds.

### ORDER

#### THE COMMISSION ORDERS:

- 12 (1) The request of the Puget Sound and Pacific Railroad Company, seeking disbursement from the Grade Crossing Protective Fund for safety improvements at a private railroad-highway grade crossing in Grays Harbor County, Washington is denied.

The Commissioners, having determined this Order to be consistent with the public interest, direct the Secretary to enter this Order.

DATED at Olympia, Washington, and effective this 9<sup>th</sup> day of June, 2004.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

CAROLE J. WASHBURN, Secretary