

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

In the Matter of the Application of)	DOCKET NO. TR-040283
)	
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 GCPF to pay for a project related to improving sight distance at three at-grade railroad crossings.
- 3 PSAP seeks to improve visibility of approaching trains at two public and one private highway-rail grade crossings in Grays Harbor and Mason Counties. The public crossings are located at the intersection of the PSAP tracks and Central Park Drive in Grays Harbor County, and at the intersection of the PSAP tracks and Old Olympic Highway in Mason County. The private crossing is located near railroad milepost 4.00 on the PSAP 40 C line.

- 4 The projects involve clearing trees and brush at each crossing that blocks sight distance of trains approaching the crossings. The Central Park Drive crossing is equipped with shoulder-mounted flashing light signals, the Old Olympic Highway crossing is equipped with cantilever-mounted flashing light signals with gates, and the private grade crossing is equipped with signs only.
- 5 The total project cost is estimated at \$12,500. Due to limited GCPF appropriations, Commission Staff recommended denying any disbursement from the GCPF after a review of this project and prioritization of the merits of the project against similar projects for which disbursements are sought.
- 6 Although sight distance is deficient at each of the crossings, the presence of active warning at both public crossings (thereby mitigating the lack of sight distance), and the fact that vegetation control at grade crossings is a standard railroad maintenance responsibility contributed to Staff's categorization of this project as a lower priority than others it was ranked against.

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 clearing vegetation to improve sight distance at two public and one private at-grade crossings 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 9th day of June, 2004.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

CAROLE J. WASHBURN, Secretary