

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

In the Matter of the Application of)	DOCKET NO. TR-040279
)	
SOUND TRANSIT)	ORDER NO. 01
)	
Petitioner,)	
)	ORDER GRANTING REQUEST FOR
Requesting Disbursement from the)	DISBURSEMENT FROM THE GRADE
Grade Crossing Protective Fund)	CROSSING PROTECTIVE FUND
.....)	

BACKGROUND

- 1 On December 12, 2003, 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, Sound Transit filed an application with the Commission, requesting disbursement from the GCPF to pay for closure of a public highway-rail grade crossing.
- 3 The project is located within the city of Tacoma at the intersection of 58th Street and the tracks of the Burlington Northern Santa Fe Railway Company (BNSF). The crossing is identified as USDOT 085393V. After September 2004, ownership of the rail line through the 58th Street crossing will be transferred to Sound Transit.
- 4 South 58th Street is a two-lane roadway that crosses the BNSF/Sound Transit tracks at a 90-degree angle. At the crossing, sight distance of approaching trains is obscured by buildings in three of the crossing's quadrants. Average daily traffic through the crossing is estimated at 2,600 vehicles. A stop sign-controlled

roadway intersection located 200 feet to the east generally limits speeds to less than 20 mph. Warning devices at the crossing consist of signs only.

5 BNSF currently maintains one track across the roadway. By 2007, there will be two main tracks at this location. Current train traffic is 6 freight trains per week, but this number will increase significantly when Sound Transit begins passenger operations in 2007.

6 As part of a proposal to provide rail service between Tacoma and Lakewood, Sound Transit is planning to make several safety improvements along its rail corridor within the city of Tacoma, including upgrading warning devices at several crossings, and closing at least two existing at-grade crossings. The application seeks funds to close the South 58th Street crossing, and is related to this larger Sound Transit plan. The closure would entail removal of the crossing surface; removal of the immediate roadway approaches; and construction of barricades to block access across the tracks. Ultimately, a transit station will be built on the site of the existing crossing.

7 The cost of the improvements is estimated at \$40,000: \$10,000 for design, and \$30,000 for physical closure. Due to limited funds available for disbursement, Commission Staff recommends a disbursement of \$10,000 from the GCPF to fund the design portion of the project. There are currently funds available for this disbursement.

FINDINGS AND CONCLUSIONS

8 (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.*

- 9 (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.
- 10 (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 granted, subject to specified conditions.
- 11 (4) This matter was brought before the Commission at its regularly scheduled meeting on June 9, 2004.
- 12 (5) After examination of the application filed by Sound Transit on February 17, 2004, and giving consideration to all relevant matters and for good cause shown, the Commission grants the request for disbursement of funds.

ORDER

THE COMMISSION ORDERS:

- 13 The request of Sound Transit, seeking disbursement from the Grade Crossing Protective Fund for the closure of the 58th Street railroad-highway grade crossing, identified as USDOT 085393V in Tacoma, Washington, is granted, subject to the following conditions:
- (1) Expenditure from the Grade Crossing Protective Fund must not exceed \$10,000.

- (2) The work for which the Grade Crossing Protective Fund disbursement was approved must conform to the project description specified in the application.
- (3) Payment will be made upon presentation of claim for reimbursement for project costs, and verification by Commission Staff that the work has been satisfactorily completed.
- (4) The portion of the project for which the GCPF disbursement was approved must be completed, and the associated request for reimbursement from the Grade Crossing Protective Fund must be on file with the Commission no later than August 31, 2005.

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