

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

|                                      |   |                               |
|--------------------------------------|---|-------------------------------|
| In the Matter of the Application of  | ) | DOCKET TR-080398              |
|                                      | ) |                               |
| SKYKOMISH SCHOOL DISTRICT            | ) | ORDER 02                      |
|                                      | ) |                               |
| Petitioner,                          | ) |                               |
|                                      | ) |                               |
|                                      | ) | ORDER RESCINDING ORDER 01     |
| Request of Skykomish School District | ) | GRANTING DISBURSEMENT FROM    |
| to rescind the disbursement from the | ) | THE GRADE CROSSING PROTECTIVE |
| Grade Crossing Protection Fun        | ) | FUND                          |
| .....                                | ) |                               |

**BACKGROUND**

1 On February 28, 2008, the Skykomish School District filed an application with the Washington Utilities and Transportation Commission (Commission) requesting disbursement of \$20,000 from the Grade Crossing Protection Fund (GCPF) to pay for a project related to pedestrian safety. The project involved constructing a fence between the Skykomish School and the BNSF Railway tracks. On April 30, 2008, the Commission approved this filing and required the city to complete the work by August 30, 2008. On August 13, 2008, the school district contacted the Commission by e-mail and telephone requesting to withdraw its application. The BNSF Railway is currently doing an extensive soil remediation project and the site where the fence would be located will not be available for construction of the fence until Spring of 2009. The Skykomish School District plans to file a new GCPF application for the fence project in 2009.

**FINDINGS AND CONCLUSIONS**

- 2 (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.*
  
- 3 (2) Commission staff supports the school district’s request to rescind Order 01 entered in this docket and reconsider the project during the next call for projects in the grant year 2009.

- 4 (3) This matter was brought before the Commission at its regularly scheduled meeting on September 25, 2008.
- 5 (5) After giving consideration to all relevant matters and for good cause shown, the Commission grants the request to rescind Order 01 in this docket granting disbursement from the Grade Crossing Protective Fund of and reconsider the application during the next call for projects, scheduled in the grant year 2009.

**ORDER**

**THE COMMISSION ORDERS:**

- 6 (1) The request of Skykomish School District to rescind Order 01 in this docket, granting disbursement from the Grade Crossing Protective Fund for the pedestrian safety project in Skykomish, Washington, is granted. The project will be considered during the next call for projects scheduled in the grant year 2009.

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

DATED at Olympia, Washington, and effective September 25, 2008.

**WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION**

**DAVID W. DANNER, Executive Director and Secretary**