

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

In the Matter of the Application of)	DOCKET TR-100191
)	
MOSES LAKE SCHOOL DISTRICT)	ORDER 03
)	
Applicant,)	ORDER RESCINDING ORDER 01
)	AND 02 GRANTING DISBURSEMENT
)	FROM THE GRADE CROSSING
Rescission of Disbursement from the)	PROTECTIVE FUND AND
Grade Crossing Protective Fund)	EXTENDING PROJECT COMPLETION
)	DATE
.....)	

BACKGROUND

- 1 On January 28, 2010, the Moses Lake School District (School District) filed an application with the Washington Utilities and Transportation Commission (Commission) requesting disbursement of \$38,844 from the Commission’s Grade Crossing Protective Fund (GCPF) to pay for a project related to pedestrian safety. The School District planned to install 3,000 feet of heavy gauge, six foot high chain-link fencing near Longview Elementary School in Moses Lake. On March 25, 2010, the Commission approved this filing and required the School District to complete the work by December 31, 2010.
- 2 On September 30, 2010, the School District submitted a request for an extension of time until June 15, 2011, to complete the project and submit the request for reimbursement. On October 8, 2010, the Commission approved the extension of time to complete the project by June 15, 2011. On June 2, 2011, the Commission received notice by email that no progress had been made on the fencing project and it would not be completed by the June 15, 2011, project completion date.

FINDINGS AND CONCLUSIONS

- 3 (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.*
- 4 (2) Commission staff recommends that Order 01 and Order 02 be rescinded.

- 5 (3) After giving consideration to all relevant matters and for good cause shown, the Commission rescinds Order 01 and Order 02 granting disbursement from the Grade Crossing Protective Fund and extending the project completion date.

ORDER

THE COMMISSION ORDERS:

- 6 (1) Order 01 and Order 02, granting disbursement from the Grade Crossing Protective Fund and extending the project completion date to June 15, 2011, for the pedestrian safety project in Moses Lake, Washington, are rescinded.

The Commissioners, having delegated authority to the Secretary to enter this Order pursuant to RCW 80.01.030 and WAC 480-07-904(1)(a).

DATED at Olympia, Washington, and effective June 17, 2011.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

DAVID W. DANNER, Executive Director and Secretary

NOTICE: This is an order delegated to the Secretary for decision. In addition to serving you a copy of the decision, the Commission will post on its Internet Web site for at least fourteen (14) days a listing of all matters delegated to the Secretary for decision. You may seek Commission review of this decision. You must file a request for Commission review of this order no later than fourteen (14) days after the date the decision is posted on the Commission's Web site. The Commission will schedule your request for review for consideration at a regularly scheduled open meeting. The Commission will notify you of the time and place of the open meeting at which the Commission will review the order.

The Commission will grant a late-filed request for review only on a showing of good cause, including a satisfactory explanation of why the person did not timely file the request. A form for late-filed requests is available on the Commission's Web site.

This notice and review process is pursuant to the provisions of RCW 80.01.030 and WAC 480-07-904(2) and (3).