

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

In the Matter of the Application of	)	DOCKET TR-111528
	)	
EASTERN WASHINGTON	)	ORDER 02
GATEWAY RAILROAD,	)	
	)	ORDER GRANTING EXTENSION OF
Petitioner,	)	TIME TO COMPLETE PROJECT AND
	)	SUBMIT REQUEST FOR
Requesting Extension of Time to	)	REIMBURSEMENT
Complete Project funded from the	)	
Grade Crossing Protective Fund	)	
.....	)	
	)	

**BACKGROUND**

- 1 On August 19, 2011, Eastern Washington Gateway Railroad (EWG or the Applicant) filed with the Commission an application requesting a disbursement of \$23,075.17 from the GCPF to pay for a project related to improving safety at 79 passive mainline crossings and 22 signalized crossings maintained by EWG, see Appendix A. On September 22, 2011, EWG submitted a revised application which included the addition of emergency notification signs. The revised application requested a disbursement of \$24,444.16. Total project costs are estimated at \$49,532.18 with EWG paying for all costs exceeding \$24,444.16.
  
- 2 On October 3, 2011, the Commission issued an Order approving the request for disbursement from the GCPF for the proposal to install stop or yield signs, wood posts with retro-reflective cross buck signs, multi-track crossing and emergency notification signs at 79 passive crossings and replace cross buck signs at 22 signalized crossings in Eastern Washington. The Order required EWG to complete the project and submit the associated request for reimbursement by March 1, 2012.
  
- 3 On March 16, 2012, EWG submitted a request for an extension of time until March 31, 2012, to complete the project and submit the request for reimbursement. EWG states that no new expenditures occurred after March 1, 2012, but a delay in receipt of decals with the proper DOT crossing numbers, as well as inclement weather, caused delays in completing the project. Staff recommends that the Commission extend the project completion date until April 30, 2012, to provide additional time for all aspects of the project to be completed within the GCPF project completion deadline.

**FINDINGS AND CONCLUSIONS**

- 4 (1) After reviewing EWG's request, and giving due consideration to all relevant matters and for good cause shown, the Commission grants the extension of time to April 30, 2012.

**ORDER**

**THE COMMISSION ORDERS:**

- 5 The request of Eastern Washington Gateway Railroad for an extension of time to complete the crossing safety upgrades is granted, subject to the following conditions:
- (1) Expenditure from the Grade Crossing Protective Fund must not exceed \$24,444.16.
  - (2) The work for which the Grade Crossing Protective Fund disbursement was approved must conform to the project description specified in the application.
  - (3) Eastern Washington Gateway Railroad must sign and return the attached revised project agreement by April 1, 2012.
  - (4) Payment will be made upon presentation of claim for reimbursement and verification by Commission Staff that the work has been satisfactorily completed.
  - (5) The project must be completed and the associated request for reimbursement from the Grade Crossing Protective Fund must be filed with the Commission no later than April 30, 2012.

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

DATED at Olympia, Washington, and effective March 20, 2012.

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).