

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

|                                     |   |                             |
|-------------------------------------|---|-----------------------------|
| In the Matter of the Application of | ) | DOCKET NO. TR-040017        |
|                                     | ) |                             |
| WASHINGTON OPERATION                | ) | ORDER NO. 02                |
| LIFESAVER, INC.,                    | ) |                             |
|                                     | ) |                             |
| Petitioner,                         | ) | ORDER AMENDING ORIGINAL     |
|                                     | ) | ORDER GRANTING REQUEST FOR  |
| Requesting Disbursement from the    | ) | DISBURSEMENT FROM THE GRADE |
| Grade Crossing Protective Fund      | ) | CROSSING PROTECTIVE FUND    |
| .....                               | ) |                             |

**BACKGROUND**

- 1     On June 9, 2004, the Washington Utilities and Transportation Commission (Commission) entered an order granting an application by Washington Operation Lifesaver, Inc. (WOL) for a disbursement from the Grade Crossing Protective Fund (GCPF) of \$2,600. The grant was to be used to buy 60 “Danger-No Trespassing” signs along the Burlington Northern Santa Fe Railway (BNSF) right-of-way in the vicinity of Kelso, Washington, and along the Columbia River Gorge at locations that were identified by WOL and BNSF as high trespass areas.
- 2     WOL completed the project in November of 2004 and filed a request for reimbursement totaling \$1,841.67. This amount has been paid to WOL from the Grade Crossing Protective Fund, leaving \$758.33 that WOL may still use within the scope of the original proposal.
- 3     On April 6, 2005, WOL filed a request in Docket TR-040017, seeking an additional disbursement for the project. Since the project was completed, BNSF and WOL have identified several additional locations along the same rail corridor where some measure of trespass mitigation is needed. They believe that, given the success of the first wave of signs, more signs installed at the additional locations would further improve public safety. In light of the effectiveness of the new signs, as evaluated by the BNSF Railway Police, and the subsequent assessment by WOL that more signs are needed to fully cover the

specified rail corridors, WOL requests that the Commission amend the original order in TR-040017 to include an additional disbursement of \$2,859.86 to pay for an additional 117 signs to be placed along BNSF mainline corridors in the Columbia River Gorge and Pacific division.

- 4 After prioritizing the merits of this project against other projects for which GCPF funding is sought, Commission Staff recommended that the request be granted. The additional installations would serve to further discourage trespassing along this high traffic and high-speed rail corridor.

#### FINDINGS AND CONCLUSIONS

- 5 (1) On June 9, 2004, the Commission approved a GCPF disbursement of \$2,600 in Docket TR-040017 to fund a trespass prevention project proposed by Washington Operation Lifesaver, Inc. The project scope was limited to the installation of approximately 60 "Danger-No Trespassing" signs along the Burlington Northern Santa Fe Railway (BNSF) right-of-way in the vicinity of Kelso, Washington, and along the Columbia River Gorge.
- 6 (2) The project was completed by November of 2004, and was determined to be effective in reducing trespass activity by Washington Operation Lifesaver representatives, BNSF Railway Police, and Commission Staff; however, Washington Operation Lifesaver representatives and BNSF Railway Police recommend that more signs be installed at additional locations within the project area to further reduce trespassing.
- 7 (3) In March of 2005, \$17,800 in previously allocated GCPF grants was returned to the Grade Crossing Protective Fund account due to relinquishment of grants in Docket No. TR-040196 and TR-040284. The newly available funds are currently available for disbursement consideration.

- 8 (4) Based on the review criteria specified in the Grade Crossing Protective Fund Policy and Interpretive Statement in Docket No. TR-031384, Staff recommended that an additional disbursement of \$2,860 be made in Docket No. TR-040017, subject to specified conditions.
- 9 (5) This matter was brought before the Commission at its regularly scheduled meeting on May 11, 2005.
- 10 (6) After examination of the request filed Washington Operation Lifesaver, Inc., on April 6, 2005, and for the reasons stated in paragraphs 3 and 4, the Commission grants the request for disbursement of funds.

### ORDER

#### THE COMMISSION ORDERS:

- 11 The Grade Crossing Protective Fund grant awarded to Washington Operation Lifesaver, Inc. in Docket No. TR-040017 is amended to include an additional disbursement of \$2,860 from the Grade Crossing Protective Fund, subject to the following conditions:
- (1) The work for which the Grade Crossing Protective Fund disbursement was approved must conform to the project description specified in the application and additional request.
  - (2) Payment will be made upon presentation of claim for reimbursement for materials, and verification by Commission Staff that the work has been satisfactorily completed.
  - (3) The project 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 May 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 11<sup>th</sup> day of May, 2005.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

CAROLE J. WASHBURN, Secretary