

**BEFORE THE WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION**

In the Matter of the Petition of

SNOHOMISH COUNTY PUBLIC
WORKS,

Petitioner,

Seeking Approval to Install Signals at a
Railroad-Highway Grade Crossing

DOCKET TR-170060

ORDER 03

ORDER AMENDING COMMISSION
ORDER 01 AUTHORIZING
ADDITIONAL EXPENDITURE FROM
THE GRADE CROSSING
PROTECTIVE FUND AND
EXTENSION OF TIME TO
COMPLETE PROJECT

USDOT: 084683A

BACKGROUND

- 1 On January 27, 2017, Snohomish County Public Works (County or Petitioner) filed with the Washington Utilities and Transportation Commission (Commission), a petition seeking approval to install active warning devices at a railroad-highway grade crossing, identified as USDOT 084683A, on 48th Ave. NW in Snohomish county. The Petitioner further requested the Commission authorize an expenditure of \$262,693 from the Grade Crossing Protective Fund (GCPF) to pay for a portion of the upgrades.
- 2 On March 8, 2017, the Commission issued an Order approving the request for disbursement from the GCPF and the petition to install active warning devices at the 48th Ave. NW crossing. The Order required the County to complete the project and submit the associated request for reimbursement by December 31, 2017.
- 3 On November 16, 2017, the County submitted a request for an extension of time in order to finalize the construction agreement with BNSF Railway Company and to allow sufficient time for construction of the project. On November 27, 2017, the Commission approved an extension of time to December 31, 2018.
- 4 On August 15, 2018, the County submitted a request for disbursement of additional funds as well as an extension of time to complete the project. The County's original request for funds was based on BNSF's estimate of the project's cost in 2016. When BNSF recently refreshed the estimate, it was determined that in order to meet current standards, the railroad will need to install additional equipment and upgrades at the 48th Ave. NW crossing as well as at an adjacent crossing. This increased the cost of the project from the

the previously-approved \$262,693 to \$480,794. The County requests approval of the additional funds and an extension of time to June 30, 2019, to complete the project.

- 5 Commission staff supports the approval of additional funds and the extension of time. Completion of this project will improve safety at this crossing. There currently are funds available to pay for the project.

FINDINGS AND CONCLUSIONS

- 6 (1) After reviewing the County's request, and giving due consideration to all relevant matters and for good cause shown, the Commission grants the request for the additional disbursement of funds and extension of time.

ORDER

THE COMMISSION ORDERS:

- 7 Commission Order 01 is amended to approve additional funding for the cost of installing active warning devices at the 48th Ave. NW crossing, to be paid from the Grade Crossing Protective Fund. Approval of the petition is subject to the following conditions:
- (1) Expenditure from the Grade Crossing Protective Fund must not exceed \$480,794.
 - (2) The work for which the Grade Crossing Protective Fund disbursement was approved must conform to the project description specified in the application.
 - (3) The County must sign and return the attached revised project agreement.
 - (4) 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 June 30, 2019.
 - (5) Payment will be made upon presentation of claim for reimbursement and verification by Commission Staff that the work has been satisfactorily completed.

The Secretary of the Commission has delegated authority over this matter pursuant to Order 01 in Docket A-151775. The Secretary finds this Order to be consistent with the public interest.

DATED at Olympia, Washington, and effective August 16, 2018.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

A handwritten signature in black ink, appearing to read "Mark L. Johnson", is written over the printed name.

MARK L. JOHNSON, 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).