

[Service Date September 9, 2003]

September 9, 2003

**NOTICE OF OPPORTUNITY TO FILE WRITTEN COMMENTS
(By Monday, September 22, 2003)**

**NOTICE OF WORKSHOP
(Set for Tuesday, September 30, 2003)**

RE: Grade Crossing Protective Fund, RCW 81.53.281
Docket No. TR-031384

TO INTERESTED PERSONS:

Since 1979, the Washington Utilities and Transportation Commission has administered a small grant program called the Grade Crossing Protective Fund (RCW 81.53.281). The program is intended to assist railroads and local agencies in improving safety at public railroad crossings. Until recently, the grant was limited to upgrading warning devices at crossings and provided 60 percent of a project's cost. The remaining costs were apportioned between the railroad and road authority at 10 percent and 30 percent respectively.

During the 2003 legislative session, the legislature passed and the Governor signed into law HB 1352, Chapter 190, Laws of 2003. The new law amends RCW 81.53.281 to broaden the purpose of the Grade Crossing Protective Fund (GCPF) to include all rail safety projects that pose a high risk to public safety, including those that may not be related to public grade crossings.

The law also amended the GCPF apportionment system by waiving the match requirements for projects under \$20,000 or the first \$20,000 for projects that exceed that amount.

The Commission is creating a policy to provide guidance for the grant program in light of the changes. The workshop will provide Commission staff with information, opinions and ideas from interested parties about how the program can be designed and implemented.

Subjects included in the workshop may cover but are not limited to:

- Whether formal rules are required for administration of the program;
- Allocation of funds between projects in different categories (i.e. grade crossing v. non-grade crossing projects);
- Application process;
- The development or adoption of prioritization methods to determine which projects have the greatest net public safety benefits;
- Frequency of disbursement;
- Applicability of the GCPF to private grade crossings;
- The relationship between GCPF and the Section 130 Federal Grant Program.

STAKEHOLDER WORKSHOP

We encourage your attendance and participation in the stakeholder workshop. The workshop will be held **Tuesday, September 30, 2003**, in Room 125 at the Commission's headquarters, beginning at 9:30 a.m. until 4:30 p.m. Free parking is available. The Commission's address is:

Washington Utilities & Transportation Commission
1300 South Evergreen Park Drive SW
P.O. Box 47250
Olympia, Washington 98504-7250

If you cannot attend the workshop, you can arrange to dial into the Commission's conference bridge at (360) 664-3846. There are 11 lines available on a first-come first-served basis. You may reserve a line by calling Ahmer Nizam at (360) 664-1345.

WRITTEN COMMENTS

Written comments on the Grade Crossing Protective Fund policy initiative must be filed with the Commission no later than **Monday, September 22, 2003** for consideration at the September 30, 2003, workshop. The Commission requests that comments be provided in electronic format to enhance public access, for ease of providing comments, to reduce the need for paper copies, and to facilitate quotations from the comments. Comments may be submitted by electronic mail to the Commission's Records Center at

records@wutc.wa.gov. Please include:

- The docket number of this proceeding (TR-031384)
- The commenting party's name
- The title and date of the comment or comments

An alternative method for submitting comments may be by mailing/delivering an electronic copy on a 3 ½ inch, IBM-formatted, high-density disk, in .pdf Adobe Acrobat format or in Word 97 or later. Include all of the information requested above. The Commission will post on the Commission's web site all comments that are provided in electronic format. The web site is located at <http://www.wutc.wa.gov/030311>.

If you are unable to file your comments electronically or to submit them on a disk, the Commission will always accept a paper document. Questions may be addressed to Ahmer Nizam at (360) 664-1345 or e-mail at anizam@wutc.wa.gov.

Your participation is welcomed via written comments and stakeholder workshops. Opportunity for further comment is anticipated. If you wish to receive further information on this matter you may (1) call the Commission's Records Center at (360) 664-1234, (2) e-mail the Commission at records@wutc.wa.gov, or (3) mail written comments to the address below. When contacting the Commission, please refer to Docket No. TR-031384 to ensure that you are placed on the appropriate service list. The Commission's mailing address is:

Secretary
Washington Utilities and Transportation Commission
1300 South Evergreen Park Drive S.W.
P.O. Box 47250
Olympia, Washington 98504-7250

Sincerely,

CAROLE J. WASHBURN
Secretary