

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

In the Matter of the Application of)	DOCKET NO. TR-040301
)	
THE SIMPSON TIMBER)	ORDER NO. 01
COMPANY)	
)	
Petitioner,)	
)	ORDER GRANTING REQUEST FOR
Requesting Disbursement from the)	DISBURSEMENT FROM THE GRADE
Grade Crossing Protective Fund)	CROSSING PROTECTIVE FUND
.....)	

BACKGROUND

- 1 On December 12, 2003, the Washington Utilities and Transportation Commission (Commission) sent a “Notice of Opportunity to Apply for Grant Monies from the Grade Crossing Protective Fund” to various interested parties from the public and private sectors that were either directly eligible to apply for Grade Crossing Protective Fund (GCPF) grants, or represented local agencies that were eligible. The notice directed interested parties to submit applications for funding consideration to the Commission by February 17, 2004.
- 2 On February 13, 2004, the Simpson Timber Company filed an application with the Commission, requesting disbursement from the Grade Crossing Protective Fund to pay for installation of a new standby power system at the SR-3 railroad-highway grade crossing, in Shelton, Washington. The crossing is identified as USDOT 856745E.
- 3 In the vicinity of the crossing, SR-3 is classified as a principal arterial road, with one lane for each direction of traffic and a vehicle speed limit of 25 mph. Average daily traffic through the crossing is estimated at 24,000 vehicles, including 3,000 trucks and five school bus trips. Warning devices at the crossing consist of cantilever-mounted flashing light signals.

- 4 The Simpson Timber Company maintains one track through the crossing. Average daily train traffic is estimated at eight freight trains, including operations related to switching. The maximum timetable speed for trains in the vicinity is ten mph.
- 5 Federal rules require that warning signals at public railroad-highway grade crossings must be equipped with a standby power source capable of temporarily operating the system in the event of power outage. The standby power system currently in use at the SR-3 grade crossing consists of a battery similar to those used in automobiles. While the current system technically complies with federal requirements for standby power, it is far less reliable than conventional systems designed specifically for active railroad warning devices.
- 6 The project involves installing a new standby power system, as well as state-owned surplus battery chargers and a “power-off” light that indicates whether or not the signals are receiving electrical power. Applicant seeks \$3,772.87 from the GCPF to pay for the project.
- 7 Commission staff reviewed the application and has inspected the existing standby power system at the crossing. After prioritizing the merits of this project against similar projects for which GCPF disbursement is sought, Commission staff recommended that up to \$4,000 be approved for disbursement from the GCPF to pay for the project. There are currently GCPF funds available for this disbursement.

FINDINGS AND CONCLUSIONS

- 8 (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. Chapter 81.53.271 RCW and 81.53.281 RCW.

- 9 (2) The project for which disbursement from the Grade Crossing Protective Fund is sought is eligible for funding consideration under the Grade Crossing Protective Fund Policy and Interpretive Statement in Docket No. TR-031384, and complies with the requirements of RCW 81.53.271 and RCW 81.53.281.
- 10 (3) Commission Staff investigated the request based on the review criteria specified in the Grade Crossing Protective Fund Policy and Interpretive Statement in Docket No. TR-031384, and recommended that it be granted, subject to specified conditions.
- 11 (4) This matter was brought before the Commission at its regularly scheduled meeting on December 10, 2004.
- 12 (5) After examination of the application filed by the Simpson Timber Company on February 13, 2004, and for the reasons stated in paragraph 7, the Commission grants the request for disbursement of funds.

ORDER

THE COMMISSION ORDERS:

- 13 The request of the Simpson Timber Company seeking disbursement from the Grade Crossing Protective Fund for installation of a new standby power system at the SR-3 railroad-highway grade crossing in Shelton, Washington is granted, subject to the following conditions:
- (1) Expenditure from the Grade Crossing Protective Fund must not exceed \$4,000.
 - (2) The work for which the Grade Crossing Protective Fund disbursement was approved must conform to the project description specified in the application.

- (3) Payment will be made upon presentation of claim for reimbursement for materials and labor, and verification by Commission Staff that the work has been satisfactorily completed.
- (4) 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 10th day of December, 2004.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

CAROLE J. WASHBURN, Secretary