

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

In the Matter of the Application of	)	DOCKET TR-060117
	)	
CITY OF AUBURN,	)	ORDER 01
	)	
Petitioner,	)	
	)	ORDER GRANTING REQUEST FOR
Requesting Disbursement from the	)	DISBURSEMENT FROM THE GRADE
Grade Crossing Protective Fund	)	CROSSING PROTECTIVE FUND
.....	)	

**BACKGROUND**

- 1     On November 14, 2005, Washington Utilities and Transportation Commission (Commission) sent a “Notice of Opportunity to Apply for Grant Monies from the Grade Crossing Protective Fund” in Docket TR-051633 to various interested parties from the public and private sectors that were eligible to apply for Grade Crossing Protective Fund (GCPF) grants. On January 19, 2006, the Commission issued a notice extending the due date for grant applications to February 17, 2006.
  
- 2     On January 20, 2006, the city of Auburn (city) filed an application with the Commission, requesting a disbursement of \$13,750 from the GCPF to pay for a project related to pedestrian safety.
  
- 3     The city seeks to install 325 feet of fencing at the southwest side of the Auburn Transit Station in Auburn, Washington, to fully separate the transit station from BNSF Railway (BNSF) tracks. BNSF runs 29 trains a day over these tracks at 40 miles per hour.
  
- 4     The Auburn Transit Station has a pedestrian bridge over the BNSF tracks where transit riders can safely walk to reach the station. In addition, there is a nearby crossing on West Main Street with pedestrian access. The West Main Street crossing is protected with lights and gates. Instead of using the bridge or the crossing, many pedestrians approaching from the south cross the BNSF tracks, through a 325-foot gap in the fence, to reach the transit station. The city proposes to close this gap with a 6-foot chain-link fence.
  
- 5     The fence will be installed on city property. The city commits to maintaining the fence. BNSF supports the proposed fence.

6 A site visit by Commission staff confirms the safety problem described by the city of Auburn exists and that the proposed fence will limit pedestrian access to the tracks in this area.

7 Initially, the city sought \$13,750 to pay for the cost of the fencing. Of this amount, \$1,000 was budgeted for “contingency costs.” Commission staff discussed this particular line item with the city. The city explained that it was to cover up to \$1,000 of budget over-runs in installing the fence. Since that time, the city has agreed to delete the \$1,000 contingency costs and revise its request to \$12,750. The city commits to funding any cost over-runs.

8 There are currently funds available to pay for the project.

#### FINDINGS AND CONCLUSIONS

9 (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.*

10 (2) The project for which disbursement from the Grade Crossing Protective Fund is sought is eligible for funding consideration under Commission rules and complies with the requirements of RCW 81.53.271 and RCW 81.53.281.

11 (3) Commission Staff investigated the request based on the review criteria specified in the rules and recommended that it be granted, subject to specified conditions.

12 (4) This matter was brought before the Commission at its regularly scheduled meeting on June 28, 2006.

13 (5) After examination of the application filed by the city of Auburn on January 20, 2006, and giving consideration to all relevant matters and for good cause shown, the Commission grants the request for disbursement of funds.

**O R D E R**

THE COMMISSION ORDERS:

14 The request of the City of Auburn, seeking disbursement from the Grade Crossing Protective Fund for the installation of fencing at the Auburn Transit Station in Auburn, Washington, is granted, subject to the following conditions:

- (1) Expenditure from the Grade Crossing Protective Fund must not exceed \$12,750.
- (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 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 June 30, 2007.

DATED at Olympia, Washington, and effective June 28, 2006.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

MARK H. SIDRAN, Chairman

PATRICK J. OSHIE, Commissioner