

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

In the Matter of the Application of	)	DOCKET TR-111649
	)	
PORT OF CHEHALIS,	)	ORDER 01
	)	
Applicant,	)	
	)	ORDER GRANTING REQUEST FOR
Requesting Disbursement from the	)	DISBURSEMENT FROM THE GRADE
Grade Crossing Protective Fund	)	CROSSING PROTECTIVE FUND
.....	)	

**BACKGROUND**

- 1     On August 18, 2011, the Washington Utilities and Transportation Commission (Commission) sent to various interested parties a “Notice of Opportunity to Apply for Grant Monies from the Grade Crossing Protective Fund.”
  
- 2     On September 9, 2011, the Port of Chehalis (the Port or the Applicant) filed with the Commission an application requesting a disbursement of \$818.09 from the Grade Crossing Protective Fund (GCPF) to pay for a project related to the installation of approximately 29 “No Trespassing” signs along the Curtis Rail Line owned by the Port.
  
- 3     The Port seeks to install “No Trespassing” signs at 11 trestles and seven public grade crossings on the 10-mile length of the Curtis Rail Line. Many of the “No Trespassing” signs posted years ago were lost in flood events in 2007 and 2009, or due to vandalism or theft. In addition, “No Trespassing” signs will be posted at public grade crossings to warn the public about the dangers of railroad property trespass. Railroad trestles along the Curtis Rail Line are from 20 to 50 feet high and many do not have guard rails.
  
- 4     Installation of these signs will significantly improve public safety along the Curtis Rail Line by reducing trespassing and enabling law enforcement to effectively cite those individuals who choose to ignore the warnings.
  
- 5     The Port seeks \$818.09 to pay for the cost of the materials, which includes signs, posts and post anchors. The Port will be responsible for all labor, installation and long-term maintenance costs. There currently are funds available to pay for the project.
  
- 6     The Port must also meet the following conditions for administering the GCPF grant.

- Expenditure from the Grade Crossing Protective Fund must not exceed \$818.09.
- The work for which the Grade Crossing Protective Fund disbursement was approved must conform to the project description specified in the application.
- The Port must sign and return the attached project agreement.
- Payment will be made upon presentation of claim for reimbursement and verification by Commission Staff that the work has been satisfactorily completed.
- 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 April 1, 2012.

#### FINDINGS AND CONCLUSIONS

- 7 (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. *RCW 81.53.271; RCW 81.53.281.*
- 8 (2) The project for which the Port seeks disbursement from the Grade Crossing Protective Fund is eligible for funding consideration under Commission rules and complies with the requirements of *RCW 81.53.271, RCW 81.53.281, and WAC 480-62.*
- 9 (3) Commission Staff investigated the request based on the review criteria specified in the Commission's rules and recommended that it be granted, subject to specified conditions for administering the grant.
- Expenditure from the Grade Crossing Protective Fund must not exceed \$818.09.

- The work for which the Grade Crossing Protective Fund disbursement was approved must conform to the project description specified in the application.
  - The Port must sign and return the attached project agreement.
  - Payment will be made upon presentation of claim for reimbursement and verification by Commission Staff that the work has been satisfactorily completed.
  - 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 April 1, 2012.
- 10 (4) This matter came before the Commission at its regularly scheduled meeting on October 13, 2011.
- 11 (5) After reviewing the Port's application filed on September 9, 2011, and giving due 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:**

- 12 The Port of Chehalis's application for disbursement from the Grade Crossing Protective Fund for installation of "No Trespassing" signs along the Curtis Rail Line in Lewis County, Washington, is granted, subject to the following conditions:
- (1) Expenditure from the Grade Crossing Protective Fund must not exceed \$818.09.
  - (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 Port of Chehalis must sign and return the attached project agreement.
- (4) Payment will be made upon presentation of claim for reimbursement and verification by Commission Staff that the work has been satisfactorily completed.
- (5) 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 April 1, 2012.

The Commissioners, having determined this Order to be consistent with the public interest, directed the Secretary to enter this Order.

DATED at Olympia, Washington, and effective October 13, 2011.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

DAVID W. DANNER, Executive Director and Secretary