

**BEFORE THE WASHINGTON  
UTILITIES AND TRANSPORTATION COMMISSION**

|                                     |   |                             |
|-------------------------------------|---|-----------------------------|
| In the Matter of the Application of | ) | DOCKET TR-121780            |
|                                     | ) |                             |
| CITY OF PASCO,                      | ) | ORDER 01                    |
|                                     | ) |                             |
| Applicant,                          | ) | ORDER GRANTING REQUEST FOR  |
|                                     | ) | DISBURSEMENT FROM THE GRADE |
|                                     | ) | CROSSING PROTECTIVE FUND    |
| Requesting Disbursement from the    | ) |                             |
| Grade Crossing Protective Fund      | ) | USDOT: 089707D              |
| .....                               | ) |                             |

**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” in Docket TR-111224.
- 2     On November 8, 2012, the City of Pasco (City or the Applicant) filed with the Commission an application requesting a disbursement of \$25,000 from the Grade Crossing Protective Fund (GCPF) to pay for a portion of a project related to crossing safety. The total cost of the project is approximately \$66,000 with the City paying for costs above the \$25,000.
- 3     The City seeks to install median barriers at a public railroad crossing located on West A Street in the city of Pasco. The City also proposes to install a raised concrete traffic curb with delineators (brightly colored plastic cylinders) on South 1<sup>st</sup> Avenue. South 1<sup>st</sup> Avenue is a parallel roadway to the tracks that intersects West A Street, 30 feet from the crossing. The West A Street crossing is identified as USDOT #089707D.
- 4     Through an analysis of railroad safety data, Commission Staff identified 15 incidents since 2007 of motorists driving around downed crossing gates at the West A Street crossing. In addition, since 1989 there have been three accidents at the crossing resulting in property damage. As a result of the analysis, Staff initiated an on-site meeting with representatives from the City and BNSF Railway Co. (BNSF) to address the safety issues at the crossing. At the meeting, the stakeholders developed a plan to modify both roadways which will reduce the ability of motorists to drive around downed crossing gates at this location.

- 5 Approximately 40 trains per day travel over this crossing at speeds up to 25 miles per hour. Both freight and passenger trains utilize the track. There are three tracks at this crossing, one main and two sidings. A BNSF rail yard is also located near the crossing and the activities at the yard increase the probability of slow-moving trains throughout the day at this location.
- 6 West A Street is a minor arterial and is a designated truck route with a posted speed limit of 35 miles per hour. Average annual daily traffic through the crossing is 5,500, including 12 percent commercial motor vehicles and no school buses. South 1<sup>st</sup> Avenue runs parallel to the railroad tracks and averages 2,500 vehicles per day and intersects West A Street at a shallow angle. The close proximity of the intersection to the crossing, in addition to the skewed angle of the intersection makes it possible for motorists to drive around the downed crossing gates. The skewed angle also decreases the sight distance for motorists, making it more difficult to see an oncoming train.
- 7 The City seeks \$25,000 to pay for a portion of the cost of the median barriers and raised concrete traffic curb with delineators. The total cost of the project is approximately \$66,000 with the City responsible for costs above \$25,000. There currently are funds available to pay for the project.
- 8 The City must also meet the following conditions for administering the GCPF grant.
- Expenditure from the Grade Crossing Protective Fund must not exceed \$25,000.
  - The work for which the Grade Crossing Protective Fund disbursement was approved must conform to the project description specified in the application.
  - City must sign and return the attached project agreement by January 30, 2013.
  - 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 June 30, 2013.

### 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. RCW 81.53.271; RCW 81.53.281.
- 10 (2) The project for which City 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.
- 11 (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 \$25,000.
  - The work for which the Grade Crossing Protective Fund disbursement was approved must conform to the project description specified in the application.
  - City must sign and return the attached project agreement by January 30, 2013.
  - 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 June 30, 2013.
- 12 (4) This matter came before the Commission at its regularly scheduled meeting on November 29, 2012.
- 13 (5) After reviewing City's application filed on November 8, 2012, and giving due consideration to all relevant matters and for good cause shown, the Commission grants the request for disbursement of funds.

**ORDER**

**THE COMMISSION ORDERS:**

- 14 The City of Pasco's application for disbursement from the Grade Crossing Protective Fund for installation of median barriers at the West A Street crossing and a raised concrete traffic curb with delineators on South 1<sup>st</sup> Avenue in the City of Pasco, Washington, is granted, subject to the following conditions:
- (1) Expenditure from the Grade Crossing Protective Fund must not exceed \$25,000.
  - (2) The work for which the Grade Crossing Protective Fund disbursement was approved must conform to the project description specified in the application.
  - (3) The City of Pasco must sign and return the attached project agreement by January 30, 2013.
  - (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 June 30, 2013.

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 November 29, 2012.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

DAVID W. DANNER, Executive Director and Secretary