

**BEFORE THE WASHINGTON  
UTILITIES AND TRANSPORTATION COMMISSION**

In the Matter of the Application of	)	DOCKET TR-131549
	)	
CITY OF SPOKANE VALLEY,	)	ORDER 01
	)	
Applicant,	)	ORDER GRANTING REQUEST FOR
	)	DISBURSEMENT FROM THE GRADE
	)	CROSSING PROTECTIVE FUND
Requesting Disbursement from the	)	
Grade Crossing Protective Fund	)	USDOT: 066375W
	)	USDOT: 066376D
.....	)	

**BACKGROUND**

- 1 On July 1, 2013, 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-131246.
- 2 On August 21, 2013, the City of Spokane Valley (Spokane Valley or the Applicant) filed with the Commission an application requesting a disbursement of \$40,000 from the Grade Crossing Protective Fund (GCPF) to pay for a portion of two projects related to crossing safety. For administrative convenience of the applicant, the Commission is considering both GCPF funding requests in a single docket.
- 3 Spokane Valley seeks to install median barriers at two public railroad crossings located within 100 feet of each other on Vista Road. Because the crossings are located in close proximity to each other, both crossings were evaluated by Commission Staff in considering additional safety measures. BNSF Railway Co. (BNSF) crews have reported six incidents in the last five years of close calls and motorists driving around crossing gates at these crossings. While there have not been any accidents recently, three accidents have been recorded accidents at the crossings, including a fatality in 1981.
- 4 Up to 50 trains travel over both crossings on a daily basis, at speeds of up to 79 miles per hour. Both freight and passenger trains utilize the tracks. There are two mainline tracks at these crossings and this is a primary east-west corridor for BNSF between Seattle and Chicago. A BNSF rail yard is located one mile west of the crossings and activities in the yard increase the probability of multiple slow-moving trains throughout the day. Vista Road is a two-lane collector arterial that carries approximately 2,400 vehicles per day, with commercial traffic representing approximately nine percent of the vehicles. School

buses also frequently use the crossings, as West Valley High School is located ¼ mile north of the crossings on Vista Road.

- 5 A site visit by Commission Staff confirmed that the safety problem described by Spokane Valley exists and that installation of median barriers on both approaches and between the crossings will reduce the number of vehicles driving around the downed crossing gates. The medians on the north and south approaches will be approximately 100 feet in length. One hundred feet of medians will also be installed between the crossings which will include a 12-foot gap for access to the rail yard for BNSF maintenance crews.
- 6 Spokane Valley seeks \$40,000 to pay for a portion of the cost of the median barriers at these two crossings. Total project costs are estimated at \$50,750 with Spokane Valley paying for all costs exceeding \$40,000. Long term maintenance costs will be the responsibility of Spokane Valley. There currently are funds available to pay for the project.
- 7 Spokane Valley must also meet the following conditions for administering the GCPF grant.
  - Expenditure from the Grade Crossing Protective Fund must not exceed \$40,000.
  - The work for which the Grade Crossing Protective Fund disbursement was approved must conform to the project description specified in the application.
  - Spokane Valley 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 December 31, 2014.

### 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. RCW 81.53.271; RCW 81.53.281.
- 9 (2) The project for which Spokane Valley 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.
- 10 (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 \$40,000.
  - The work for which the Grade Crossing Protective Fund disbursement was approved must conform to the project description specified in the application.
  - Spokane Valley 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 December 31, 2014.
- 11 (4) This matter came before the Commission at its regularly scheduled meeting on September 26, 2013.
- 12 (5) After reviewing Spokane Valley's application filed on August 21, 2013, 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:**

13 City of Spokane Valley's application for disbursement from the Grade Crossing Protective Fund for installation of median barriers at two crossings in the City of Spokane Valley, Washington, on Vista Road, is granted, subject to the following conditions:

- (1) Expenditure from the Grade Crossing Protective Fund must not exceed \$40,000.
- (2) The work for which the Grade Crossing Protective Fund disbursement was approved must conform to the project description specified in the application.
- (3) City of Spokane Valley 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 December 31, 2014.

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 September 26, 2013.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

STEVEN V. KING, Executive Director and Secretary