

**BEFORE THE WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION**

In the Matter of the Petition of	DOCKET TR-910107
CENTRAL WASHINGTON GRAIN GROWERS, INC.,	ORDER 02
Petitioner,	AMENDING ORDER 01
Requesting Exemption from WAC 480- 60-050	

BACKGROUND

- 1 On December 19, 1990, Central Washington Grain Growers, Inc., (Central Washington Grain Growers) filed with the Washington Utilities and Transportation Commission (Commission) a petition (Petition) requesting exemption from railroad clearance rules in WAC 480-60-050, which generally requires a side clearance of at least 8 feet 6 inches.
- 2 On February 6, 1991, the Commission entered Order 01 granting the Petition for exemption from WAC 480-60-050 subject to the condition that Central Washington Grain Growers install cautionary signs indicating to rail traffic traveling next to the structure that the side clearance is impaired. In addition, the impaired steel columns and loading dock were to be painted with yellow safety striping and the area illuminated with overhead lighting.
- 3 A recent inspection by Commission staff (Staff) of the facility shows that the structure of the facility has not changed, and the impaired clearance warning signs, safety striping, and overhead lighting are present as required by Order 01. However, it was also found that ownership of the facility has changed from Central Washington Grain Growers to Highline Grain Growers, Inc. (Highline Grain Growers).
- 4 Because this is a non-material change to the Commission Order, Staff recommends the Commission amend Order 01 to change the name from Central Washington Grain Growers, Inc., to Highline Grain Growers, Inc. Staff further recommends that the other conditions specified in Order 01 remain the same.

DISCUSSION

5 We agree with Staff's recommendation. Amending Order 01 is both appropriate and reasonable because of the change in facility ownership. Accordingly, the Commission amends Order 01 by changing the company name from Central Washington Grain Growers, Inc. to Highline Grain Growers, Inc.

FINDINGS AND CONCLUSIONS

- 6 (1) The Commission is an agency of the State of Washington vested by statute with the authority to regulate the rules, regulations and practices of public service companies, including railroad companies, within the State of Washington.¹
- 7 (2) Staff investigated the previous exemption of WAC 480-60-050 granted to Central Washington Grain Growers and recommends that the Order be amended to reflect current facility ownership.
- 8 (3) This matter came before the Commission at its regularly scheduled meeting on September 24, 2020.
- 9 (4) After giving consideration to all relevant matters and for good cause shown, the Commission finds that amending the previous Order is in the public interest.

ORDER

THE COMMISSION ORDERS THAT Order 01 in this docket, which granted a permanent exemption from the clearance requirements in WAC 480-60-050 to Central Washington Grain Growers, Inc., is amended as follows:

10 (1) All references to Central Washington Grain Growers, Inc., are changed to Highline Grain Growers, Inc. All other terms and conditions specified in in Order 01 remain the same.

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

¹ Chapter 80.01.040 RCW, Chapter 81.01 RCW, Chapter 81.04 RCW, and Chapter 81.53 RCW

DATED at Lacey, Washington, and effective September 24, 2020.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

MARK L. JOHNSON
Executive Director and Secretary