

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

In the Matter of the Application of)	DOCKET TR-060306
)	
CITY OF CHENEY,)	ORDER 01
)	
Petitioner,)	
)	
Requesting Disbursement from the)	ORDER GRANTING REQUEST FOR
Grade Crossing Protective Fund)	DISBURSEMENT FROM THE GRADE
.....)	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 February 17, 2006, the city of Cheney (city) filed an application with the Commission, requesting a disbursement of \$8,500 from the GCPF to pay for a project related to pedestrian safety.

- 3 The city seeks to install three separate gates near a private crossing to keep pedestrians and motorists away from a crossing during off-peak hours and away from railroad rights-of-way in Cheney, Washington.

- 4 The crossing involved is a private crossing that leads to the city’s wastewater treatment plant. Approximately 50 vehicles travel the crossing daily. The Union Pacific Railroad Company operates 15 trains a day over the crossing, traveling at 60 miles per hour.

- 5 A site visit by Commission Staff confirms the safety problem described by the city exists. Staff agrees the proposed gates will limit pedestrian and motorist access to the crossing and the tracks in this area.

- 6 The city seeks \$8,500 to pay for the cost of the gates. There are currently funds available to pay for the project.

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. *Chapter 81.53.271 RCW and 81.53.281 RCW.*
- 8 (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.
- 9 (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.
- 10 (4) This matter was brought before the Commission at its regularly scheduled meeting on June 28, 2006.
- 11 (5) After examination of the application filed by the city of Cheney on February 17, 2006, and giving consideration to all relevant matters and for good cause shown, the Commission grants the request for disbursement of funds.

ORDER

THE COMMISSION ORDERS:

- 12 The request of the city of Cheney, seeking disbursement from the Grade Crossing Protective Fund for the installation of three separate gates near a private crossing to keep pedestrians and motorists away from a crossing during off-peak hours and away from railroad rights-of-way in Cheney, Washington, is granted, subject to the following conditions:
- (1) Expenditure from the Grade Crossing Protective Fund must not exceed \$8,500.
 - (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