

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

In the Matter of the Application of)	DOCKET TR-060188
)	
YAKIMA COUNTY,)	ORDER 01
)	
Petitioner,)	
)	ORDER GRANTING REQUEST FOR
Requesting Disbursement from the)	DISBURSEMENT FROM THE GRADE
Grade Crossing Protective Fund)	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 3, 2006, Yakima County (county) filed an application with the Commission, requesting a disbursement of \$20,000 from the GCPF to pay for a project related to pedestrian safety.
- 3 The county seeks to install 650 feet of fencing between the tracks owned by the county and the local White Swan middle and high school campus at White Swan, Washington. The fence would begin at milepost 19 and continue to milepost 19.2. Central Washington Railroad has operating rights on the tracks. It runs a minimum of two trains a day over these tracks at 25 miles per hour.
- 4 The fence will be installed fully on the railroad right-of-way. The Central Washington Railroad commits to maintaining the fence.
- 5 A site visit by Commission staff confirms the safety problem described by the county exists. Staff observed many middle and high-school students crossing the tracks at areas other than the established grade crossing. In addition, many students walked alongside or on the tracks. Staff agrees the proposed fence will limit pedestrian access to the tracks in this area.

6 Initially, the county sought \$20,000 to pay for the cost of the fencing. Of this amount, \$3,000 was budgeted for engineering costs. The county stated this amount was to reimburse the county for the time existing staff spent engineering the fencing. The county has agreed to delete the \$3,000 engineering costs and revise its request to \$17,000.

7 There are currently funds available to pay for the project.

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. *Chapter 81.53.271 RCW and 81.53.281 RCW.*

9 (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.

10 (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.

11 (4) This matter was brought before the Commission at its regularly scheduled meeting on June 28, 2006.

12 (5) After examination of the application filed by Yakima County on January 20, 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:

13 The request of Yakima County, seeking disbursement from the Grade Crossing Protective Fund for the installation of 650 feet of fencing between the tracks owned by the county and the local White Swan middle and high school campus at White Swan, Washington, is granted, subject to the following conditions:

- (1) Expenditure from the Grade Crossing Protective Fund must not exceed \$17,000.
- (2) The work for which the Grade Crossing Protective Fund disbursement was approved must conform to the project description specified in the application.
- (3) 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