

FINDINGS AND CONCLUSIONS

- 4 (1) The Washington Utilities and Transportation Commission is an agency of the State of Washington having jurisdiction over public railroad-highway grade crossings within the state of Washington. *Chapter 81.53 RCW.*
- 5 (2) The Jadwin Boulevard grade crossing, identified as USDOT 91716Y, is a public railroad-highway grade crossing within the state of Washington.
- 6 (3) WAC 480-62-150 (2)(d) requires that the Commission grant approval prior to any changes to signals at public railroad-highway grade crossings within the state of Washington.
- 7 (4) RCW 81.53.271 allows the Commission to disburse up to \$20,000 from the Grade Crossing Protective Fund to pay for the installation of a grade crossing protective device.
- 8 (5) Commission Staff investigated the petition and recommended that it be granted, subject to specified conditions.
- 9 (6) This matter was brought before the Commission at its regularly scheduled meeting on May 17, 2006.
- 10 (7) After examination of the petition filed by the Tri-City and Olympia Railroad Company on February 21, 2006, and giving consideration to all relevant matters and for good cause shown, the Commission grants the petition.

ORDER

THE COMMISSION ORDERS:

- 11 The petition of the Tri-City and Olympia Railroad Company to upgrade signals at a railroad-highway grade crossing, located at the intersection of Kingsgate Way and the petitioner's tracks in Benton County, Washington, is granted. The cost of this upgrade shall be paid from the Grade Crossing Protective Fund, with an advance payment of \$3,018 for materials. Approval of the petition is subject to the following conditions:

- (1) Expenditure from the Grade Crossing Protective Fund must not exceed \$3,469.
- (2) The Commission will provide an advance payment of \$3,018 for materials.
- (3) Payment of the remaining amount, \$451, will be made upon presentation of claim for reimbursement for labor and verification by Commission Staff that the work has been satisfactorily completed.
- (4) Traffic control devices must comply with all applicable standards specified in the U.S. Department of Transportation *Manual on Uniform Traffic Control Devices*.
- (5) Upon completion of the upgrades authorized herein, petitioner must notify the Commission. Acceptance of the changes is subject to inspection by Commission Staff, verifying that the crossing is in full compliance with applicable laws, regulations, and the conditions specified herein.

The Commissioners, having determined that this filing complies with the requirements of WAC 480-62-150, RCW 81.53.030, and RCW 81.53.271 directed the Secretary to enter this Order.

DATED at Olympia, Washington, and effective May 17, 2006.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

CAROLE J. WASHBURN, Executive Secretary