

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

In the Matter of the Application of)	DOCKET TR-061603
)	
CITY OF MABTON,)	ORDER 01
)	
Petitioner,)	ORDER GRANTING REQUEST FOR
)	DISBURSEMENT FROM THE GRADE
Requesting Disbursement from the)	CROSSING PROTECTIVE FUND
Grade Crossing Protective Fund)	
)	USDOT: 104535N
.....)	

BACKGROUND

- 1 On September 1, 2006, the 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.

- 2 On October 17, 2006, the City of Mabton (City) filed an application with the Commission, requesting a disbursement of \$19,000 from the GCPF to pay for a project related to pedestrian safety at the Main Street railroad crossing. The application requests installation of a pedestrian walking surface on the east and west sides of the railroad crossing.

- 3 On November 30, 2006, Commission Staff (Staff) visited the crossing and determined that additional information and coordination was needed from both the City and BNSF Railway Company (BNSF) before Staff could adequately assess the application. The grant application was held over for consideration to the next call for projects, scheduled for the 2007-2009 biennium.

- 4 On August 7, 2007, the Commission sent a “Notice of Opportunity to Apply for Grant Monies from the Grade Crossing Protective Fund” for the 2007-2009 biennium. The City’s 2006 application for GCPF funds was again considered.

- 5 On December 5, 2007, Staff conducted a safety diagnostic meeting at the railroad crossing and met with city officials and staff from BNSF. All stakeholders agreed to modify the original GCPF application, reducing the scope of the project to installation of a pedestrian walking surface on the east side of the Main Street railroad crossing.

Stakeholders also agreed to consider adding an additional pedestrian walking surface across the railroad crossing on the west side of Main Street if the City improves the roadside sidewalks on this approach, as well.

- 6 A site visit by Staff confirms the existence of the safety problem described by the City. The proposal to add a pedestrian walking surface at the crossing will enhance pedestrian safety for all users, including pedestrians utilizing motorized scooters and walkers.
- 7 The city of Mabton seeks \$5,000 to pay for the total construction cost of 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. *RCW 81.53.271 and RCW 81.53.281.*
- 9 (2) The project for which the City of Mabton 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 and 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.
- 11 (4) This matter came before the Commission at its regularly scheduled meeting on January 31, 2008.
- 12 (5) After reviewing the City of Mabton's application filed on October 17, 2006, 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 The City of Mabton's application for disbursement from the Grade Crossing Protective Fund to install a pedestrian walking surface on the east side of the Main Street railroad crossing is granted, subject to the following conditions:

- (1) Expenditure from the Grade Crossing Protective Fund must not exceed \$5,000.
- (2) The work for which the Grade Crossing Protective Fund disbursement was approved must conform to the project description specified in the application.
- (3) The City of Mabton must sign and return the attached project agreement.
- (4) Payment will be made upon presentation of claim for reimbursement for costs incurred 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 June 30, 2008.

The Commissioners, having determined this filing complies with RCW 81.53.030 and RCW 81.53.271, directed the Executive Secretary to enter this Order.

DATED at Olympia, Washington, and effective January 31, 2008.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

CAROLE J. WASHBURN, Executive Secretary