

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

In the Matter of the Application of)	DOCKET NO. TR-051347
)	
BALLARD TERMINAL)	ORDER NO. 01
RAILROAD)	
)	
Petitioner,)	
)	ORDER GRANTING REQUEST FOR
Requesting Disbursement from the)	DISBURSEMENT FROM THE GRADE
Grade Crossing Protective Fund)	CROSSING PROTECTIVE FUND
.....)	

BACKGROUND

- 1 On September 6, 2005, Ballard Terminal Railroad filed an application with the Commission, requesting disbursement from the Grade Crossing Protective Fund (GCPF) to pay for a project related to upgrading warning devices at a public railroad-highway grade crossing. On November 10, 2005, Ballard Terminal Railroad amended its petition to reflect revised costs for equipment, labor, freight, and taxes for the upgraded equipment.
- 2 Ballard Terminal Railroad intends to upgrade signals at the Seaview Avenue Northwest crossing in Seattle (DOT Crossing No. 101206E). Upgrades will include replacing eight-inch flashing lights with twelve-inch lights for better visibility; replacing the outmoded flasher relay with new technology; and replacing the battery and battery charging system.
- 3 In the vicinity of the crossing, Seaview Avenue Northwest is classified as an urban minor arterial, with five lanes of traffic and a speed limit of 30 mph. The tracks cross the road at an acute angle. Average daily traffic through the crossing is estimated at 11,000 vehicles.
- 4 The applicant seeks \$16,006 from the GCPF to pay for the project.

FINDINGS AND CONCLUSIONS

- 5 (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.
- 6 (2) The project for which disbursement from the Grade Crossing Protective Fund is sought is eligible for funding consideration under the Grade Crossing Protective Fund Policy and Interpretive Statement in Docket No. TR-031384, and complies with the requirements of RCW 81.53.271 and RCW 81.53.281.
- 7 (3) Commission Staff investigated the request based on the review criteria specified in the Grade Crossing Protective Fund Policy and Interpretive Statement in Docket No. TR-031384.
- 8 (4) After examination of the application filed by Ballard Terminal Railroad on September 6, 2005, and amended by Ballard Terminal Railroad on November 10, 2005, 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:

- 9 The request of Ballard Terminal Railroad, seeking disbursement from the Grade Crossing Protective Fund for the replacement of railroad active warning devices at the Seaview Avenue Northwest grade crossing in Seattle is granted, subject to the following conditions:

- (1) Expenditure from the Grade Crossing Protective Fund must not exceed \$16,006.
- (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 for materials and labor, 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 May 31, 2006.

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

DATED at Olympia, Washington, and effective this 30th day of November, 2005.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

CAROLE J. WASHBURN, Secretary