

**BEFORE THE WASHINGTON  
UTILITIES AND TRANSPORTATION COMMISSION**

In the Matter of the Application of	)	DOCKET TR-143417
	)	
WESTERN WASHINGTON	)	ORDER 01
RAILROAD,	)	
	)	
Applicant,	)	ORDER GRANTING REQUEST FOR
	)	DISBURSEMENT FROM THE GRADE
Requesting Disbursement from the	)	CROSSING PROTECTIVE FUND
Grade Crossing Protective Fund	)	
.....	)	

**BACKGROUND**

- 1 On July 1, 2013, the Washington Utilities and Transportation Commission (Commission) sent to various interested parties a “Notice of Opportunity to Apply for Grant Monies from the Grade Crossing Protective Fund” in Docket TR-131246.
- 2 On September 18, 2014, Western Washington Railroad (WWR) filed with the Commission an application requesting a disbursement of \$291.0833 from the Grade Crossing Protective Fund (GCPF) to pay for a project related to installation of emergency notification signs (ENS).
- 3 WWR seeks to install ENS signs at 36 railroad crossings on their railroad lines in Thurston and Lewis counties. Each crossing will have two ENS signs, one sign posted at each approach, with two additional signs posted at one crossing due to the crossing design. ENS signs include the railroad company name, emergency number and the unique USDOT number assigned to each crossing. Specific information about each crossing is contained in WWR’s GCPF application and in the attached Appendix A.
- 4 ENS signs are required to be installed at all railroad crossings in the United States by September 1, 2015, per the federal Railroad Administration (FRA) Federal Register Final Rule issued June 12, 2012.
- 5 The installation of ENS signs will improve safety by providing an emergency contact telephone number and unique identifier at each crossing. The public and railroad personnel can easily locate this information and use it to report an emergency situation at or near the crossing.
- 6 WWR seeks \$291.087.33 to pay for the cost of the ENS signs. WWR will contribute the labor to install the signs. There currently are funds available to pay for the project.

- 7 WWR must also meet the following conditions for administering the GCPF grant.
- Expenditure from the Grade Crossing Protective Fund must not exceed \$291,087.33.
  - The work for which the Grade Crossing Protective Fund disbursement was approved must conform to the project description specified in the application.
  - WWR must sign and return the attached project agreement.
  - Payment will be made upon presentation of claim for reimbursement and verification by Commission Staff that the work has been satisfactorily completed.
  - 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 May 30, 2015.

#### 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; RCW 81.53.281.
- 9 (2) The project for which WWR 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, 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.
- Expenditure from the Grade Crossing Protective Fund must not exceed \$291,087.33.
  - The work for which the Grade Crossing Protective Fund disbursement was approved must conform to the project description specified in the application.

- WWR must sign and return the attached project agreement.
  - Payment will be made upon presentation of claim for reimbursement and verification by Commission Staff that the work has been satisfactorily completed.
  - 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 May 30, 2015.
- 11 (4) This matter came before the Commission at its regularly scheduled meeting on October 16, 2014.
- 12 (5) After reviewing WWR's application filed on September 18, 2014, and giving due consideration to all relevant matters and for good cause shown, the Commission grants the request for disbursement of funds.

## **O R D E R**

### **THE COMMISSION ORDERS:**

- 13 Western Washington Railroad's application for disbursement from the Grade Crossing Protective Fund for installation of ENS signs on their railroad lines in Thurston and Lewis counties is granted, subject to the following conditions:
- (1) Expenditure from the Grade Crossing Protective Fund must not exceed \$291,087.33.
  - (2) The work for which the Grade Crossing Protective Fund disbursement was approved must conform to the project description specified in the application.
  - (3) Western Washington Railroad must sign and return the attached project agreement.
  - (4) Payment will be made upon presentation of claim for reimbursement 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 May 30, 2015.

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

DATED at Olympia, Washington, and effective October 16, 2014.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

STEVEN V. KING, Executive Director and Secretary