

**BEFORE THE WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION**

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| In the Matter of the Application of |) | DOCKET TR-151858 |
| |) | |
| PORT OF CHEHALIS, |) | ORDER 01 |
| |) | |
| Applicant, |) | ORDER GRANTING REQUEST FOR |
| |) | DISBURSEMENT FROM THE GRADE |
| |) | CROSSING PROTECTIVE FUND FOR |
| Requesting Disbursement from the |) | A PAVING PROJECT AT TWIN OAKS |
| Grade Crossing Protective Fund |) | ROAD IN CHEHALIS |
| |) | |
| |) | USDOT #848700C |

BACKGROUND

- 1 On July 15, 2015, the Washington Utilities and Transportation Commission (Commission) sent to various interested parties a “Notice of Available Funds for Rail Safety Projects” from the Grade Crossing Protective Fund (GCPF).

- 2 On September 17, 2015, the Port of Chehalis (Port or Applicant) filed with the Commission an application requesting a disbursement of \$1,243.20 from the Grade Crossing Protective Fund (GCPF) to pay for a resurfacing project at the Twin Oaks Road railroad crossing, identified as USDOT #848700C, located in Chehalis.

- 3 Twin Oaks Road is a two-lane county road with a posted speed limit of 50 miles per hour. Average daily vehicle traffic through the crossing is estimated at 125 vehicles, which includes up to seven percent truck traffic. Twin Oaks Road is part of an established school bus route, with two buses traveling over the crossing each day.

- 4 The pavement at the Twin Oaks Road crossing is failing and the temporary annual patches to potholes are ineffective. The approaches to the crossing and the crossing surfaces present a hazard to motorists and the local school district transportation office is concerned about the condition of the crossing surface and road. The Port proposes to remove/grind the damaged pavement and then install new asphalt at the approaches to the crossing and between the railroad tracks.

- 5 A site visit by Commission Staff earlier this year confirmed the conditions described by the Port of Chehalis. The proposed project will ensure a smooth and continuous crossing surface and provide increased safety for the traveling public.

- 6 The total approximate cost of the project is \$13,279.41. Lewis County Public Works has included resurfacing this crossing in its annual paving projects and is providing the majority of the funding. The Port owns the railroad and is partnering with the county to pave its areas of responsibility within the crossing. The grantee shall be responsible for all additional costs.
- 7 The Port of Chehalis must also meet the following conditions for administering the GCPF grant.
- Expenditure from the Grade Crossing Protective Fund must not exceed \$1,243.20.
 - The work for which the Grade Crossing Protective Fund disbursement was approved must conform to the project description specified in the application.
 - The Port of Chehalis 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 December 31, 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 the Port of Chehalis 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 \$1,243.20.
 - The work for which the Grade Crossing Protective Fund disbursement was approved must conform to the project description specified in the application.
 - The Port of Chehalis 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 December 31, 2015.
- 11 (4) This matter came before the Commission at its regularly scheduled meeting on October 8, 2015.
- 12 (5) After reviewing the Port of Chehalis's application filed on September 17, 2015, 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 Port of Chehalis's application for disbursement from the Grade Crossing Protective Fund for the resurfacing project at Twin Oaks Road in Chehalis is granted, subject to the following conditions:
- (1) Expenditure from the Grade Crossing Protective Fund must not exceed \$1,243.20.
 - (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 Port of Chehalis 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 December 31, 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 8, 2015.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

STEVEN V. KING, Executive Director and Secretary