

**BEFORE THE WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION**

In the Matter of the Application of CWW LLC Applicant, Requesting Disbursement from the Grade Crossing Protective Fund	DOCKET TR-210596 ORDER 01 GRANTING REQUEST FOR DISBURSEMENT FROM THE GRADE CROSSING PROTECTIVE FUND
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BACKGROUND

- 1 On August 2, 2021, 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 August 2, 2021, CWW LLC (CWW or Applicant) filed with the Commission an application (Application) requesting a disbursement of \$7,375.41 from the GCPF to purchase 69 warning sign assemblies for installation at 43 private crossings on the CWW rail lines in Walla Walla and Columbia counties. The Applicant will contribute the labor needed to install the signs.
- 3 Staff recommends the Commission approve funding in the amount of \$7,375.41. Currently there are funds available to pay for this project.
- 4 Staff recommends the Commission approve the request for funds with the following conditions: (1) expenditure from the GCPF must not exceed \$7,375.41, (2) the work for which the GCPF disbursement is approved must conform to the project description specified in the Application, (3) the Applicant must sign and return the attached project agreement, (4) payment will be made upon presentation of claim for reimbursement and verification by Staff that the work has been satisfactorily completed, and (5) the project must be completed and the associated request for reimbursement from the GCPF must be filed with the Commission no later than September 30, 2022.

DISCUSSION

- 5 RCW 81.53.281 authorizes the Commission to disburse funds from the GCPF to pay for improvements to highway-rail grade crossings. We find that the proposed modifications

will improve the overall safety for roadway users. Accordingly, the Commission grants the Application subject to the conditions that Staff recommends.

FINDINGS AND CONCLUSIONS

- 6 (1) The Commission is an agency of the State of Washington having authority to approve and administer disbursements from the GCPF. RCW 81.53.271; RCW 81.53.281.
- 7 (2) The project for which the Applicant seeks disbursement from the GCPF 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.
- 8 (3) Staff investigated the request based on the review criteria specified in the Commission's rules and recommended that it be granted with the conditions set out in paragraph 4, above.
- 9 (4) This matter came before the Commission at its regularly scheduled meeting on September 30, 2021.
- 10 (5) After reviewing CWW's Application and crossing list filed on August 2, 2021, 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:

- 11 CWW LLC's Application for disbursement from the Grade Crossing Protective Fund for a project related to installation of 69 warning sign assemblies at 43 private crossings in Walla Walla and Columbia counties is granted, subject to the following conditions:
- (1) Expenditure from the Grade Crossing Protective Fund must not exceed \$7,375.41.
- (2) The work for which the Grade Crossing Protective Fund disbursement was approved must conform to the project description specified in the Application.
- (3) CWW LLC must sign and return the attached project agreement.

- (4) Payment will be made upon presentation of claim for reimbursement and verification by 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 September 30, 2022.

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

DATED at Lacey, Washington, and effective September 30, 2021.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

MARK L. JOHNSON
Executive Director and Secretary