

December 4, 2012

Via Overnight Courier

Records Center
Washington Utilities and Transportation Commission
1300 S. Evergreen Park Dr. SW
P.O. Box 47250
Olympia, WA 98504-7250

Re: *City of Auburn v. Gates, Gates, Gates, et al.*
Docket No. TR-121883

Dear Clerk:

Enclosed is AMPAC's *Waiver of Hearing* in the above-referenced matter. Please do not hesitate to call should you have any questions or comments.

Very truly yours,



Joseph B. Genster

JBG:gds
E-Mail: jbg@hcmp.com
cc: Parties

ND: 20634.002 4831-0813-9794v1

Waiver of Hearing

The undersigned represents **Respondent APMAC** in the petition to construct a highway-rail grade crossing at the following crossing:

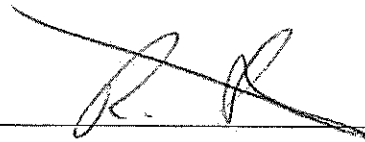
USDOT Crossing No. 945561A

We have investigated the conditions at the crossing. We are satisfied the conditions are the same as described by the Petitioner in this docket. We agree to the change in designation from a private to a public crossing and consent to a decision by the commission without a hearing.

Dated at Auburn, Washington on the 30 day of November, 2012.

RICHARD SHAW

Printed name of Respondent



Signature of Respondent's Representative

GENERAL MANAGER

Title

AMPAC

Name of Company

253-939-8206 RSHAW@AMPACON

Phone number and e-mail address LINE.COM

701 A STR NE

AUBURN, WA 98071

Mailing address