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

CASCADE AND COLUMBIA RR,) NO. TR-061920
Petitioner,)
) CHELAN COUNTY'S
) ANSWER TO PETITION FOR
vs.) ORDER ALLOCATING FUNDS
)
CHELAN COUNTY,) Road Name: "A" Street
Respondent.)
) W.U.T.C. Crossing No. 35A 37.80
) D.O.T. Crossing No. 096221T

9 COMES NOW Respondent Chelan County, and by way of answer, responds as follows:

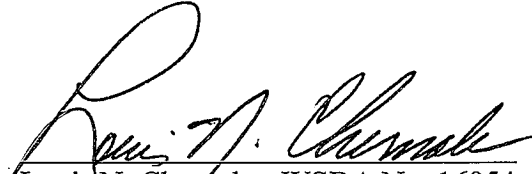
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1. Respondent Chelan County admits the allegations contained in the following paragraphs of the petition: paragraph 1; paragraph 2; paragraphs 3(b), (d)-(f); paragraphs 6(a)-(c); paragraphs 7(a)-(e); paragraphs 8; paragraph 10; paragraphs 12 (a)-(d).
 2. The following paragraphs of the petition do not contain allegations by the Petitioner and the Respondent makes no response to them: paragraphs 3(a) and (c), paragraph 4, paragraph 5; paragraph 11; paragraph 12(e); and paragraph 13.
 3. By way of further response to paragraph 12(b), Respondent states that the latest estimate for the cost of installing the warning devices and gates is \$41,493.00. Respondent is prepared to pay up to \$21,493.00 of the now \$41,493.00 estimated installation costs.
 4. By way of further response to paragraph 12(c), Respondent alleges that the Petitioner is responsible for the maintenance costs alleged therein
 5. Respondent Chelan County reserves the right to amend its answer, including asserting affirmative defenses, if the petition is amended or additional or different allegations are made by petitioner.

23 WHEREFORE, Respondent Chelan County requests that the Washington Utilities and
24 Transportation Commission enter an order as follows:

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1. Requiring that Petitioner timely install the warning devices and gates alleged in paragraph 12(a) of the petition; and

- 1 3. Requiring that Petitioner pay all costs of installation of the warning device and
2 gates alleged at paragraph 12(a) of the petition exceeding the \$21,493.00 which
3 the Respondent is prepared to pay toward installation; and
4
5 4. Requiring that Petitioner be responsible for maintenance costs of the installed
6 warning devices and gates.

7 Dated: 4-13-2007


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