



STATE OF WASHINGTON
WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION
1300 S. Evergreen Park Dr. S.W., P.O. Box 47250 • Olympia, Washington 98504-7250
(360) 664-1160 • TTY (360) 586-8203

December 1, 2008

Byron Cole
Meeker Southern Railroad
4725 Ballard Ave. NW
Seattle, WA 98107

RE: TR-070591 Petition from the City of Puyallup to Construct a Highway-Rail Grade Crossing at Shaw Road

Dear Mr. Cole:

On March 22, 2007, the City of Puyallup filed a petition with the Washington Utilities and Transportation Commission (commission), seeking approval to construct a highway-rail grade crossing at Shaw Road in the city of Puyallup. You signed a Waiver of Hearing by Respondent on behalf of Meeker Southern Railroad in support of the construction of the highway-railroad grade crossing. The commission assigned docket TR-070591 to this petition.

On November 25, 2008, the City of Puyallup filed a revised petition with the commission. A signed Waiver of Hearing by Respondent was not submitted with the revised petition.

Please review the attached revised petition and respond by December 21, 2008. Your response options include:

- Support the revised petition – Complete the Respondent's Waiver of Hearing form, which serves as your consent for the commission to issue an order without further notice or hearing.
- Do not support the revised petition – Reply with your position and include whether you feel a hearing is necessary to resolve the issues or suggest other courses of action, such as further discussion prior to going to hearing. Commission staff is available to meet with stakeholders to facilitate discussions related to the proposed modifications.



Byron Cole
December 1, 2008
Page 2

If you do not respond within 20 days of the date of this letter, we will assume you do not support the revised petition and will set the matter for hearing. You will be required to attend the hearing and respond to the commission.

If you have any questions, please contact Kathy Hunter at (360) 664-1257 or at khunter@utc.wa.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "David W. Danner", with a long horizontal flourish extending to the right.

David W. Danner
Executive Director and Secretary

Enclosure

cc: City of Puyallup