

Section 13 - Waiver of Hearing by Respondent  
TR-070591 - Shaw Road

**Waiver of Hearing**

The undersigned represents the Respondent in the revised petition to construct a highway-railroad grade crossing at Shaw Road.

We have investigated the conditions at the proposed or existing crossing site. We are satisfied the conditions are the same as described by the Petitioner in this docket. We agree that a crossing be installed or reconstructed and consent to a decision by the commission without a hearing.

Dated at SEATTLE, Washington, on the 26<sup>th</sup> day of  
DECEMBER, 2008.

BYRON D. COLE FOR BALLARD TERMINAL  
Printed name of Respondent RR Co, LLC

Byron D Cole  
Signature of Respondent's Representative

GEN'L MGR OF RR'S.

Title MORNING MEMBER, BTRC, LLC

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