



2601 SR 509 North Frontage Road
Tacoma, Washington 98421

TACOMA PUBLIC UTILITIES

June 8, 2011

Mr. David W. Danner
Executive Director, Washington Utilities and Transportation Commission
1300 S. Evergreen Park Drive
Olympia, WA 98504-7250

RE: RESPONSE TO DOCKET TR-091937 ORDER NO. 02

Dear Mr. Danner:

Tacoma Rail intends this document as our formal response to the WUTC order referenced above.

On March 8, 2011, the derailment of a railcar over which Tacoma Rail had control occurred at 66th Avenue SW, Tumwater, WA, USDOT #085-277G. Subsequent to that derailment, Tacoma Rail supported the City of Tumwater's request to the WUTC for a temporary suspension of the exempt status of that particular crossing as we conducted an investigation into the incident.

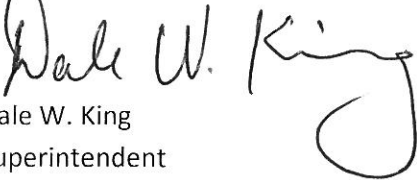
After careful review and due consideration of the facts surrounding this incident by Tacoma Rail's management staff, the following actions have been taken:

- 1) The Tacoma Rail train crew conducting freight rail switching operations in the area that day has accepted responsibility for their actions leading up to the incident;
- 2) The practice of gravity switch moves, defined in Section 7.7.1 of the General Code of Operating Rules (GCOR) Sixth Edition, Effective April 7, 2010, will no longer be permitted at this location;
- 3) Pre-shift safety briefings with all Tacoma Rail train crews regarding the specifics of this incident and re-training on operational practices necessary to prevent a similar occurrence have been conducted;
- 4) The flop-over style derail previously located approximately sixty-five feet (65') to the north of 66th Avenue SW has been moved to a point now approximately one hundred-fifty feet (150') north of 66th Avenue SW;
- 5) Tacoma Rail has decided not to return the siding tracks located to the south of 66th Avenue SW to active service, and currently has no plan or need to traverse this crossing with rail equipment, rather;
- 6) A caboose has been placed on the railroad line segment and is being used as a platform from which trainmen can protect the point of the train, and control the air brakes of the train during south-bound shoving movements.

Tacoma Rail takes our commitment to safety seriously and remains committed to the philosophy that all accidents are avoidable. Moreover, we are confident that appropriate steps have been taken, coupled with our renewed and ongoing vigilance toward situational awareness, and rules compliance, to ensure that no similar incidents occur.

In conclusion, should the City of Tumwater request that the temporary suspension of the exempt status of this particular crossing be lifted by the WUTC, Tacoma Rail will not object to the crossing being returned to an exempt status, and as a result of the internal actions described above we do not believe there is a significant likelihood of a similar incident or hazard to the general public at this location.

Respectfully submitted,

A handwritten signature in black ink that reads "Dale W. King". The signature is written in a cursive style with a large, looping "K" at the end.

Dale W. King
Superintendent
(253) 502-8894