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MEMORANDUM

TO: MS. KATHY HUNTER,
DEPUTY ASSISTANT DIRECTOR, TRANSPORTATION SAFETY
WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION
1300 S. EVERGREEN PARK DR. SW
PO BOX 47250
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FROM: DANIEL O. GLENN, CITY ATTORNEY
CITY OF ELMA

DATE: April 19, 2011

RE: DOCKET #S TR-110159 thru TR-110162
REQUEST OF PUGET SOUND & PACIFIC RAILROAD REQUEST

This confirms the action of the Elma City Council taken last evening in relation to the Railroad's request to extend the time period in this matter for sixty days in order to carry forth negotiations. The Council indicated that it had no objection to the granting of such a request. This confirmation is given within the scope of the authority granted to me by the Mayor and Council as the City's attorney.

On the associated matter of local participation in the Hearing Process, the Mayor and Council confirmed their request that the Commission consider the holding of some portion of the Hearing Process in Elma so as to enhance the ability of local citizens to participate in the process. The budgetary effects of such a step are recognized but the Council and Mayor do believe that the benefits of the body hearing the request, whether it be a Hearing Officer or the Commission, receiving

the local input would outweigh the costs associated with such process. They are more than willing to make the Council Chambers available without cost for such a local hearing.

As a side point, apparently the communication sent to Mr. Petitt indicating a willingness of the UTC Staff to hold an informational meeting did not get passed on to the Mayor and Council. That letter has now been provided to Ms. Easton, the Clerk-treasurer, who will distribute to the Council Members. Thank you for all of the assistance you have provided during the process up to this point.

DG/le