

August 12, 2009

David W. Danner, Executive Director and Secretary  
Washington Utilities and Transportation Commission  
1300 S. Evergreen Park Dr. SW  
P. O. Box 47250  
Olympia, Washington 98504-7250

RE: *Battle Ground, Yacolt & Chelatchie Prairie RR Ass'n* Penalty Assessment  
Docket TR-090940

Dear Mr. Danner:

On August 10, 2009, Battle Ground, Yacolt & Chelatchie Prairie Railroad Association filed a letter with the Commission requesting cancellation of the Brief Adjudicative Proceeding scheduled for August 18, 2009, in the above docket, and enclosing its annual report and payment of the assessed penalty. Staff does not oppose cancellation of the hearing.

Sincerely,

MICHAEL A. FASSIO  
Assistant Attorney General

MAF/emd  
cc: Parties