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June 9, 2011

Ms. Laura T. Z. Montgomery
Gleaves Swearingen Potter & Scott LLP
P.O. Box 1147
Eugene, OR 97440-1147

Re: UTC Docket Nos. TR-110157, TR-110159, TR-110160, TR-110161 and TR-110162

Dear Ms. Montgomery:

Thank you for the informational copy of your June 8, 2011 letter sent via email to Assistant Attorney General Fronda Woods, along with a revised version of the Draft Joint Status Report and courtesy copy of your letter to David Danner.

My letter is to relay our surprise and concern that Puget Sound and Pacific Railroad ("PSAP") representatives have been attempting settlement discussions with an unnamed Port of Grays Harbor commissioner under the mistaken impression that they are speaking with a representative of Grays Harbor County. The Port of Grays Harbor is a separate and independent governmental entity from Grays Harbor County ("the County") and is not authorized to negotiate for or speak on behalf of the County. Neither County Engineer Russ Esses, nor our three County Commissioners have confirmed any discussions with PSAP representatives concerning negotiations or informal resolution of the County's objection to closure of the Hewitt Street crossing (TR-110157) or the 17th Street crossing (TR-110162), which are the crossings at issue located outside the City of Elma and within unincorporated Grays Harbor County.

While the County is supportive of the Port's efforts at increasing rail capacity and traffic to enhance access to markets, the County has separate concerns regarding the adverse impact closure of these crossings will have to County residents and businesses. The County is willing to discuss potential resolution of this matter, but asks that PSAP representatives contact County Engineer Russ Esses to arrange a mutually convenient time to discuss possible solutions.

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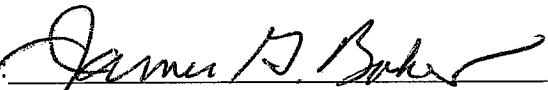
I may be reached at the telephone number indicated above, or Mr. Esses may be reached at (360) 249-4222, extension 413, to arrange future discussions with the County.

Yours truly,

H. STEWARD MENEFEE

Prosecuting Attorney for

Grays Harbor County

By: 

JAMES G. BAKER

Senior Deputy Prosecuting Attorney

JGB/

cc: Grays Harbor County Board of Commissioners
Russ Esses, Grays Harbor County Engineer
David Danner, WUTC
Kathy Hunter, WUTC
Fronda Woods, AAG, WUTC
Dan Glenn, Elma City Attorney
Art Blauvelt, Attorney for Port of Grays Harbor