

**BEFORE THE WASHINGTON STATE
UTILITIES AND TRANSPORTATION COMMISSION**

PUGET SOUND & PACIFIC RAILROAD,

Petitioner,

v.

GRAYS HARBOR COUNTY,

Respondent.

.....
PUGET SOUND & PACIFIC RAILROAD,

Petitioner,

v.

CITY OF ELMA,

Respondent.

DOCKET TR-110157

DOCKET TR-110162

JOINT STATUS REPORT

DOCKET TR-110159

DOCKET TR-110160

DOCKET TR-110161

COMMISSION STAFF STATUS
REPORT

1 Puget Sound and Pacific Railroad (PSAP) filed the petitions that initiated these dockets on January 19, 2011. The petitions seek permission to close five highway/railroad grade crossings between Elma and Satsop, in Grays Harbor County, Washington. In mid-February 2011, respondents City of Elma and Grays Harbor County submitted responses indicating opposition to the petitions. By letters dated April 12 and 19, 2011, PSAP requested additional time to engage in settlement negotiations. The respondents and Washington Utilities and Transportation Commission Staff filed letters in support of the request. On April 20, 2011, the Washington Utilities and Transportation Commission, through its Executive Director and Secretary, agreed to hold the petitions in abeyance until mid-June 2011. The letter asked the parties to submit an update on their settlement

negotiations no later than Friday, June 10, 2011. The Staff of the Washington Utilities and Transportation Commission ("Commission Staff") submits this Status Report in accordance with that request. The respondents and PSAP have submitted separate comments.


2 Commission Staff has been in contact with all parties but has seen no indication that substantive settlement discussions have occurred at this time. Commission Staff recommends that the Commission initiate a formal adjudicative proceeding under RCW Chapter 34.05 to address the closure petitions. As part of that process, Commission Staff would support the assignment of a settlement judge, mediator, or facilitator to assist the parties in exploring settlement options.


DATED this 9TH day of June, 2011.

Respectfully submitted,

ROBERT M. MCKENNA
Attorney General of Washington

ROBERT M. MCKENNA
Attorney General of Washington


FRONDA WOODS, WSBA #18728
Assistant Attorney General
Attorney for Washington Utilities and
Transportation Commission Staff


MICHAEL A. FASSIO, WSBA #37139
Assistant Attorney General
Attorney for Washington Utilities and
Transportation Commission Staff