



Bob Ferguson

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May 19, 2015

Rayne Pearson, Administrative Law Judge
Washington Utilities and Transportation Commission
1300 S. Evergreen Park Dr. SW
Olympia, Washington 98504-7250

RE: *City of Woodinville v. Eastside Community Rail and Ballard Terminal Rail*
Dockets TR-143902 and TR-143903
Status report

Dear Judge Pearson:

I submit this status report in response to your request dated April 16, 2015. To prepare this report, I contacted Doug Engle (Eastside Community Rail) and Greg Rubstello (City of Woodinville). I also contacted Kathy Hunter (Commission Staff), who provided her perspective and additionally relayed information provided by Ahmer Nizam (WSDOT). Based on my discussions, my general impression is that although meaningful progress has been made on the first issue in these dockets (gate length and crossing design), little or no progress has been made on the second issue (long-term maintenance).

Mr. Rubstello and Mr. Engle do not believe a second mediation session would be productive at this time. Mr. Rubstello believes continued mediation may be productive "after WSDOT approves final design of the crossing revision." He tells me, "The City is waiting for final WSDOT design approval." Mr. Engle is aware that the City and WSDOT have met. He believes the immediate next step should be an "update from WSDOT and Woodinville."

According to Ms. Hunter, Mr. Nizam believes WSDOT and the City are making substantial progress toward final design approval. Mr. Nizam believes a second settlement conference mediated by Judge Moss would be productive if scheduled approximately 30-60 days from now. Ms. Hunter agrees with Mr. Nizam's assessment and supports his mediation proposal.

Please let me know if I can provide additional information.



Sincerely,

A handwritten signature in cursive script that reads "Julian Beattie".

JULIAN BEATTIE
Assistant Attorney General

cc: Greg Rubstello
Doug Engle
Byron Cole
Ahmer Nizam
ALJ Dennis Moss