DOCKET NO. TR-060535 WAIVER OF HEARING BY COLUMBIA BASIN RAILROAD COMPANY, INC.

Having investigated the conditions existing at and in the vicinity of the proposed reconstructed grade crossing described in Docket No. TR-060535, at SR-17 in Moses Lake, Washington, and being satisfied that such conditions are substantially as described in the docketed proposal, Columbia Basin Railroad Company, Inc. consents that the grade crossing be reconstructed and opened to public use. Hearing in this proceeding is hereby waived.

Dated at Warden, Washington, on the Zand day of September, 2006.

Columbia Basin Railroad Company, Inc.

By: 2 / M

Tim Marshall General Monaser