

[Service Date July 21, 2011]

July 21, 2011

**NOTICE OF MEDIATION**

**(Set for Tuesday, August 16, 2011, beginning at 9:00 a.m.)**

RE: *Petitions on Behalf of Puget Sound and Pacific Railroad to Close Five Highway-Rail Grade Crossings in the City of Elma and Grays Harbor County, Washington;*  
Dockets TR-110157, TR-110159, TR-110160, TR-110161, and TR-110162

TO ALL PARTIES:

On July 18, 2011, the Washington Utilities and Transportation Commission (Commission) conducted a prehearing conference in the above matter before Administrative Law Judge Gregory J. Kopta. On July 19, 2011, the Commission entered Order 02 – Prehearing Conference Order. Order 02 states, among other things, that the parties agree to attempt resolution of this matter via mediation.

The Commission appoints Administrative Law Judge Adam E. Torem to act as mediator in this matter. Judge Torem can be contacted at (360) 664-1138 or [atorem@utc.wa.gov](mailto:atorem@utc.wa.gov).

The parties were contacted informally to determine a date to conduct a mediation session. All parties are available for a full day mediation session on Tuesday, August 16, 2011. Additionally, the parties may also be available to continue the mediation, if necessary, on Friday, August 19, 2011.

**NOTICE IS GIVEN That a full day of mediation sessions will be held on Tuesday, August 16, 2011, in Room 108, Richard Hemstad Building, 1300 S. Evergreen Park Drive S.W., Olympia, Washington. The Commission will also make other rooms available to the parties for use during the mediation.**

The preliminary mediation session will begin at 9:00 a.m. on August 16, 2011. The preliminary session will offer all parties an opportunity to make opening statements, identify and discuss the issues that have led to the dispute, and determine whether the parties are prepared to enter into good faith negotiations to resolve the issues that separate them.

A draft "Agreement to Mediate" is enclosed for review by all party representatives. All party representatives should be prepared to discuss and sign the agreement at the preliminary mediation session. In addition, please review the Commission's mediation rules (WAC 480-07-700 and -710) before August 16, 2011. Please contact Judge Torem if you identify any errors or wish to propose changes to the agreement.

After all parties have signed the agreement, additional mediation sessions will continue for the balance of the day. During these sessions, the parties will meet individually with the mediator and may also reconvene as a group to discuss positions and propose solutions. The mediation will continue until the parties reach an accord or discussions reach an impasse. In the case more time is needed, the parties should hold Friday, August 19, 2011, on their calendars as a date to resume negotiations.

Sincerely,

DAVID W. DANNER  
Executive Director and Secretary

Enclosure