

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

PENALTY ASSESSMENT, Docket No. TR-060979

PLEASE NOTE: You must complete and sign this document, and send it to the Commission within 15 days after you receive the penalty assessment. Use additional paper if needed.

I have read and understand RCW 9A.72.020 (printed below), which states that making false statements under oath is a class B felony. I am over the age of 18, am competent to testify to the matters set forth below and I have personal knowledge of those matters. I hereby make, under oath, the following statements.

- 1. **Payment of penalty.** I admit that the violation occurred and enclose \$100 in payment of the penalty.
- 2. **Request for a hearing.** I believe that the alleged violation did not occur, based on the following information, and request a hearing for a decision by an administrative law judge:

3. **Application for mitigation.** I admit the violation, but I believe that the penalty should be reduced for the reason(s) set out below.

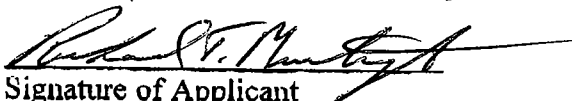
- OR
- a) I ask for a hearing for a decision by an administrative law judge
 - b) I waive a hearing and ask for an administrative decision on the information I present here.

ANNUAL REPORTS WITH PAYMENTS WERE FILED MAY 1, 2006 (SEE ENCLOSED COPY OF CERTIFIED MAIL WITH POSTMARK DATED MAY 1, 2006). ACCORDINGLY, WE REQUEST PENALTIES BE ABATED FOR REASONABLE CAUSE FOR BOTH THE CASCADE AND COLUMBIA RIVER RAILROAD AND THE PUGET SOUND + PACIFIC RR.

I declare under penalty of perjury under the laws of the State of Washington that the foregoing, including information I have presented on any attachments, is true and correct.

Dated: 7/7/06 [month/day/year], at BOCA RATON FL [city, state]

CASCADE + COLUMBIA RIVER RAILROAD
PUGET SOUND + PACIFIC RAILROAD
Name of Respondent (company) – please print


Signature of Applicant

RCW 9A.72.020:

“Perjury in the first degree. (1) A person is guilty of perjury in the first degree if in any official proceeding he makes a materially false statement which he knows to be false under an oath required or authorized by law. (2) Knowledge of the materiality of the statement is not an element of this crime, and the actor’s mistaken belief that his statement was not material is not a defense to a prosecution under this section. (3) Perjury in the first degree is a class B felony.”



RailAmerica, Inc.

RECEIVED

JUL 10 2006

WASH. UT. & TR. COM. **Corporate Headquarters**
5300 Broken Sound Blvd., NW
Boca Raton, Florida 33487
Tel: 561.994.6015
Fax: 561.994.4629

July 7, 2006

State of Washington
Utilities and Transportation Commission
P.O. Box 47250
Olympia, WA 98504-7250

**Re: Cascade and Columbia River Railroad
Puget Sound & Pacific Railroad**

Dear Sir/Madam:

On behalf of the above-named Companies, I am responding to your Notice of Penalties Incurred and Due for Violations of Laws and Rules (copy enclosed), dated June 30, 2006, regarding failure to pay regulatory fees by May 1.

The Companies filed their annual reports with payment on May 1, 2006. I have enclosed a copy of the receipt for certified mail with a postmark date of May 1, 2006 as proof of timely filing and payment. Accordingly, I respectfully request that the late payment penalties be abated.


If you have any questions, please e-mail me at richard.murtagh@railamerica.com or call me at 561-226-6804.

Very truly yours,

Richard T. Murtagh
Manager – Property, Sales and Use Tax

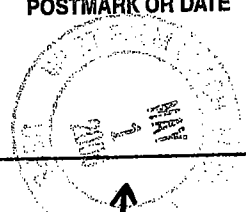
RTM:rm
Enclosures

NO MONIES
ENCLOSED

2. Article Number		COMPLETE THIS SECTION ON DELIVERY	
 7179 7789 7160 0000 8966		A. Signature <input checked="" type="checkbox"/> Agent <input checked="" type="checkbox"/> Addressee	
1. Article Addressed to: Washington & Utilities Transportation Commission P.O. Box 47250 Olympia, WA 98504-7250 5/1/2006 4:25 PM		B. Received by (Printed Name) [Handwritten Name] 04/20/06 C. Date of Delivery	
		D. Is delivery address different from item #1? If YES enter delivery address below: Department of General Administrative Consolidation [Handwritten]	
		3. Service Type <input checked="" type="checkbox"/> Certified	
		4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes	

Code: cscd & psap Class II & III RR
 Code2: companies Ann Rep - Rich-Tax
 PS Form 3801 Domestic Return Receipt

7179 7789 7160 0000 8966

RETURN RECEIPT SERVICE	POSTAGE	.87	POSTMARK OR DATE 
	RESTRICTED DELIVERY FEE		
	CERTIFIED FEE	2.40	
	RETURN RECEIPT FEE	1.85	
SENT TO:	TOTAL POSTAGE AND FEES	5.12	
Code: cscd & psap Class II & III RR Code2: companies Ann Rep - Rich-Tax Washington & Utilities Transportation Commission P.O. Box 47250 Olympia, WA 98504-7250 5/1/2006 4:25 PM			

PS FORM 3800



RECEIPT FOR CERTIFIED MAIL
 NO INSURANCE COVERAGE PROVIDED
 NOT FOR INTERNATIONAL MAIL
 (SEE OTHER SIDE)