

February 4, 2011

David Cyr  
Central Washington Railroad  
111 University Parkway, Suite 200  
Yakima, WA 98901

Megan McIntyre, Public Projects Manager  
BNSF Railway Co.  
2454 Occidental Avenue South, Suite 1-A  
Seattle, WA 98134

Sent via E-mail and First Class Mail

**RE: TR-110228 - Petition on Behalf of the City of Moxee to Modify the Beaudry Road Highway-Rail Grade Crossing in Moxee, Washington  
USDOT #098481T**

Dear Mr. Cyr and Ms. McIntyre:

On January 31, 2011, the City of Moxee (City) filed a petition with the Washington Utilities and Transportation Commission (Commission), seeking approval to install active railroad warning devices at the Beaudry Road railroad crossing. The petition also requests to intertie the railroad warning devices with the nearby traffic signal on State Route 24. The City also requests \$20,000 from the Commissions Grade Crossing Safety to pay for a portion of the upgrades. The Beaudry Road crossing is located within the city limits of Moxee.

It is Commission staffs understanding that BNSF Railway Co. owns the tracks at this location and Central Washington Railroad leases and operates over the Beaudry Road crossing. As a result of this arrangement, Commission staff requests consideration of the petition by both affected railroads.

Please review the enclosed petition and respond by February 24, 2011. Your response options include:

- Support the petition – Complete the Respondent’s Waiver of Hearing form, which serves as your consent for the Commission to issue an order without further notice or hearing.
- Do not support the petition – Reply with your position and include whether you feel a hearing is necessary to resolve the issues or suggest other courses of action, such as further discussion prior to going to hearing.

Dave Cyr  
Megan McIntyre  
February 4, 2011  
Page 2

You must respond with your position within 20 days of the date of this letter. If you have any questions, please contact Kathy Hunter at (360) 664-1257 or [khunter@utc.wa.gov](mailto:khunter@utc.wa.gov).

Sincerely,

David Pratt  
Assistant Director Transportation Safety

Enclosures

cc: Byron Adams, City of Moxee (without enclosure)