

**BALLARD TERMINAL RAILROAD  
MEEKER SOUTHERN RAILROAD**

---

Subsidiaries of:

Ballard Terminal Railroad Company, LLC  
4725 Ballard Avenue NW  
Seattle, WA 98107

Office: (206) 782-1447 Fax: (206) 782-7724

---

Providing Local Rail Connections to the Entire North American Freight Rail Network

To: MIKE ROWSWELL, FAX: 1-360-586-1172  
FROM: BYRON COCE

HERE ARE THE 4 "RESPONDENTS WAIVER  
OF HEARING" FORMS FOR THE NEW TRAIL  
CROSSINGS (AT GRADE) ON OUR MSN LINE.

Byron

**RESPONDENT'S WAIVER OF HEARING**

Docket No. \_\_\_\_\_

Petition of PIERCE COUNTY PARKS & RECREATION

for TRAIL GRADE CROSSING OF MGN MAINLINE AT ALBERTON, WA

I have investigated the conditions existing at and in the vicinity of the proposed crossing changes. As a result, [check one or more of the following, as appropriate:]

I am satisfied that conditions are as represented in the petition and the interrogatories and that the petition should be granted.

The cost of installation (estimated at \$ \$10,000)

subject to approval and apportionment pursuant to the Intermodal Surface Transportation Act by the Washington State Department of Transportation Local Programs Division.

as apportioned between the parties.

to be paid by petitioner.

Other conditions to waiver of hearing:

SEE COMMENTS FOR SIMILAR CROSSING AT "INDUSTRIAL  
ARK CURVE".

The undersigned hereby waives hearing and further notice. The Washington Utilities and Transportation Commission may enter a final order without further notice of hearing.

Date at FREDNEY HARPER, Washington, on this 29th day  
of JULY, 2005.

Respondent BACARD TRAVELER (B, LLC  
DBA MEEKER SOUTHWEST (MSW)

by Byron D. Coe

Print Name BYRON D. COE

Title MANAGING MEMBER, LLC  
GEN'L MGR, MGN