

**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 ROOSWELL, 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 NSN MAINLINE AT POINT 1667' No. OF MILITARY ROAD.

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 OF "INDUSTRIAL PARK 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 FRIDAY HERBOD, Washington, on this 29th day of JULY, 2005.

Respondent BALLARD TERMINAL RR COLLE
DBA HECKER SOUTHERN RR (NSN)

by Byron D Polo

Print Name BYRON D. POLO

Title MANAGER HECKER, LLC
GENERAL MANAGER, NSN