



July 19, 2005

Carole Washburn
Executive Secretary
Washington Utilities & Transportation Committee
1300 South Evergreen Park Drive S.W.
Olympia, WA 98504-7250

Re: Docket No. TR-050967

Dear Ms. Washburn:

I am writing you regarding the above-referenced petition to cross a rail line operated by Tri-City Railroad ("TCRR") and owned by the Port of Benton. There is a related pending petition, Docket No. TR-040664, that the City of Kennewick has filed to cross Union Pacific Railroad ("UPRR") tracks. The City and UPRR continue to be in negotiations that may resolve this matter short of a hearing before the Commission. It is highly likely that resolution of the UPRR crossing would also resolve matter TR-050967.

I am writing to request that no action be taken on matter TR-050967 pending the outcome of negotiations related to the City's matter with Union Pacific Railroad. I have discussed this matter with Mike Rowsell who does not object to proceeding in this matter. If you need any additional information or if you have any questions, please feel free to give me a call.

Very truly yours,

JOHN S. ZIOBRO
City Attorney

JSZ/bl

cc: Bob Hammond
John Darrington
Peter Beaudry
Pete Rogalsky
Daryl Jonson
Brandon Johnson
Carolyn Larson

CITY ATTORNEY'S OFFICE

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