

TR-111431

Hunter, Kathy (UTC)

From: Hunter, Kathy (UTC)
Sent: Monday, November 07, 2011 8:29 AM
To: 'Tim Kelly'
Subject: RE: US DOT Crossing No 396983B UTC Crossing 34BSE14.3 20.00

Tim,

I will ensure that these comments are included in the record for TR-111431.

Thank you.

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2011 NOV -7 AM 11:46

From: Tim Kelly [mailto:tkelly@cbrr.com]
Sent: Friday, November 04, 2011 2:18 PM
To: Hunter, Kathy (UTC)
Subject: US DOT Crossing No 396983B UTC Crossing 34BSE14.3 20.00

As discussed yesterday, the Waiver of Hearing that I signed on 1st of August 2011 should have been qualified by me.

We have not operated a train on that line since November 2009 due to a bridge problem. We do not know when train service will resume. The

Waiver of hearing would be conditional only for as long as train activity is suspended. At this point it would appear that this rail line would become

Owned by the Port of Moses Lake when train service is resumed. Currently, the Port is seeking funding to reactivate this line, through building

Segment 1 of the Northern Columbia Basin Project. It is unclear when this line will be reactivated. When the line is reactivated, the owner at that time

Should petition the WUTC to have the exemption lifted.

Please place this on the record.

Tim Kelly

Tim Kelly

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