

**BALLARD TERMINAL RAILROAD  
 EASTSIDE FREIGHT RAILROAD  
 MEEKER SOUTHERN RAILROAD**

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**Subsidiaries of:**

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

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

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16 June 2014

TO: WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

RE: PENALTY ASSESSMENT TR-140999

SIRS:

To the best of my knowledge, the initial 2013 WUTC annual report form for Ballard Terminal Railroad (BDTL) was not received by our parent company, BALLARD TERMINAL RAILROAD COMPANY, LLC. Had it been received, the report would have been filed for completion and payment by its due date as have been all previous WUTC requested reports from BTRC,LLC.

Unfortunately, the filing date for this report, and the absence of the required report form, were overlooked until the WUTC report form, sent by certified mail, was received.

Today, the completed form relating to the intrastate operation of the Ballard Terminal Railroad (BDTL) with the payment and penalty due were delivered to the WUTC office in Olympia.

*Byron D Cole*  
 Byron Cole, General Manager  
 Ballard Terminal Railroad Co. LLC

2014 JUN 17 PM 2:19  
 RECEIVED  
 WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

PENALTY ASSESSMENT TR-140999

PLEASE NOTE: You must complete and sign this document, and send it to the Commission within 15 days after you receive the penalty assessment. Use additional paper if needed.

I have read and understand RCW 9A.72.020 (printed below), which states that making false statements under oath is a class B felony. I am over the age of 18, am competent to testify to the matters set forth below and I have personal knowledge of those matters. I hereby make, under oath, the following statements.

2014 JUN 17 PM 2:19

- 1. **Payment of penalty.** I admit that the violations occurred. I have:
  - Enclosed \$ \_\_\_\_\_ in payment of the penalty
  - Submitted my payment of \$ \_\_\_\_\_ online at [www.utc.wa.gov](http://www.utc.wa.gov). My confirmation number is \_\_\_\_\_.
  
- 2. **Request for a hearing.** I believe that one or more of the alleged violations did not occur, for the reasons I describe below, and I request a hearing based on those reasons for a decision by an administrative law judge:
  
- 3. **Application for mitigation.** I admit the violations, but I believe that the penalty should be reduced for the reasons set out below:
  - Please see attached letter.*
  - a) I ask for a hearing to present evidence on the information I provide above to an administrative law judge for a decision
  - OR  b) I ask for a Commission decision based solely on the information I provide above.

I declare under penalty of perjury under the laws of the State of Washington that the foregoing, including information I have presented on any attachments, is true and correct.

Dated: 6-16-2014 [month/day/year], at SEATTLE WA [city, state]

BALLARD TERMINAL RAILROAD  
Name of Respondent (company) - please print

Byron D Cole  
Signature of Applicant

RCW 9A.72.020:

"Perjury in the first degree. (1) A person is guilty of perjury in the first degree if in any official proceeding he makes a materially false statement which he knows to be false under an oath required or authorized by law. (2) Knowledge of the materiality of the statement is not an element of this crime, and the actor's mistaken belief that his statement was not material is not a defense to a prosecution under this section. (3) Perjury in the first degree is a class B felony."

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## TRANSMITTAL COVER

DATE: 6-17-14

PAGES 2+COVER

TO: AMY ANDREWS @ WUTC

PHONE \_\_\_\_\_ FAX 360-664-1289 CELL \_\_\_\_\_

Reference BALLARD TERMINAL RAILROAD  
2013 PENALTY ASSESSMENT TR-14099

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