

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

RECEIVED
MAY 29 2015
WASH. UT. & TR.
COMM.

Subsidiaries of:

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

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

Washington Utilities and Transportation Commission
P.O. Box 47250
Olympia WA 98504-7250

Sirs:

On April 30, 2015, Ballard Terminal Railroad Company LLC separately certified mailed to the WUTC the annual reports and regulatory fees for the three shortline common carrier railroads that it owns and/or operates in Western Washington. These are Eastside Freight Railroad, Ballard Terminal Railroad and Meeker Southern Railroad.

The returned certified mail delivery receipt for the Eastside Freight Railroad was stamped as received on May 1, 2015. However, the receipts for Ballard Terminal Railroad and for Meeker Southern Railroad were stamped as being received on May 5, 2015. This was a 4 day difference in the received date for these two railroads when all three were certified mailed on April 30, 2015.

Enclosed please find a copy of the certified Mail receipt and its domestic return receipt for each of these mailings and our request for a hearing to resolve this issue.

Byron D Cole

Byron Cole, General Manager

RECEIVED
RECORDS MANAGEMENT
2015 MAY 29 PM 1:53
STATE OF WASH.
UTIL. AND TRANS.
COMMISSION

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

PENALTY ASSESSMENT TR-150955

2015 MAY 29 PM 1:53

RECEIVED
PROGRAMS MANAGEMENT

STATE OF WASHINGTON
UTIL. AND TRANSPORTATION
COMMISSION

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.

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. 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:

Please see attached letter

3. **Application for mitigation.** I admit the violations, but I believe that the penalty should be reduced for the reasons set out below:

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: May 28, 2015 [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.”

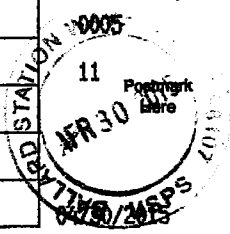
5E92 9LE0 T000 0292 H102

U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
Domestic Mail Only

For delivery information, visit our website at www.usps.com

OFFICIAL USE

Postage	\$	\$0.49
Certified Fee		\$3.30
Return Receipt Fee (Endorsement Required)		\$2.70
Restricted Delivery Fee (Endorsement Required)		\$0.00
Total Postage & Fees	\$	\$6.49



Sent To WA UTILS & TRANSPORT CO.
 Street & Apt. No., or PO Box No. PO Box 47250
 City, State, ZIP+4 Olympia, WA 98504

PS Form 3808 July 2014 See Reverse for Instructions

RECEIVED
 STATE OF WASH
 UTIL. AND TRANSP
 COMMISSION
 2015 MAY 29 PM 1:54
 RECEIVED
 UTILITIES MANAGEMENT

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:
 WA Utilities & Transportation
 Commission
 PO Box 47250
 Olympia, WA 98504

2. Article Number
 (Transfer from service label) 7014 2870 0001 0376 2635

PS Form 3811, July 2013 Domestic Return Receipt

COMPLETE THIS SECTION ON DELIVERY

A. Signature Agent
 Addressee

B. Received by (Printed Name) MAY 05 2015

D. Is delivery address different from item 1? Yes
 No
 If YES, enter delivery address below:
 Department of Enterprise
 Consolidated Mail
 Olympia, WA 98504-1000

3. Service Type
 Certified Mail® Priority Mail Express™
 Registered Return Receipt for Merchandise
 Insured Mail Collect on Delivery

4. Restricted Delivery? (Extra Fee) Yes

BALLARD TERMINAL RAILROAD