


# Meeker's Report #2

concerning limited operation of the spur track and concerning operation of the main line track prior to completion and commencement of operation of the 134th Avenue East flashing lights grade crossing signal system

**Prepared January 31, 2011**

Covering the period from January 9, 2011 through January 29, 2011

I, James Forgette, the Operations Manager for Meeker Southern Railroad, hereby certify that the (a) the data in the enclosed one-page crossing spreadsheet and (b) the comments in the enclosed VERIFICATION OF COMPLIANCE WITH TABLE 2 are true and correct to my best knowledge and belief.

 1-31-11  
James Forgette Date

**Meeker Southern Railroad  
Log for 134th Ave. E Spur crossing and Mainline crossing  
For January 09, 2011 through January 29th, 2011**

<u>Date</u>	<u>Time</u>	<u>Track</u>	<u>Direction</u>	<u>Destination</u>	<u>Length (ft)</u>	<u>Train Components</u>
1/10/2011	9:05 AM	main	west	BNSF interchange		
1/10/2011	9:45 AM	spur	east	Sound Delivery	119	engine + 1 car
1/10/2011	10:00 AM	spur	west	mainline/spur switch	50	engine
1/10/2011	10:15 AM	main	east	locomotive pen		
1/14/2011	9:01 AM	main	west	mainline/spur switch		
1/14/2011	9:05 AM	spur	east	Sound Delivery	100	engine + caboose
1/14/2011	9:10 AM	spur	west	BNSF interchange	169	engine + caboose + 1 car
1/14/2011	9:40 AM	spur	east	Sound Delivery	188	engine + 2 cars
1/14/2011	9:50 AM	spur	west	mainline/spur switch	50	engine
1/14/2011	9:55 AM	main	east	Optimus Transport		
1/18/2011	9:05 AM	main	west	mainline/spur switch		
1/18/2011	9:10 AM	spur	east	Sound Delivery	100	engine + caboose
1/18/2011	9:20 AM	spur	west	BNSF interchange	238	engine + caboose + 2 cars
1/18/2011	10:00 AM	main	east	Optimus Transport		
1/24/2011	9:05 AM	main	west	Bnsf interchange		
1/24/2011	9:40 AM	main	east	Optimus Transport		
1/28/2011	9:06 AM	main	west	Bnsf interchange		
1/28/2011	9:55 AM	main	east	set-out cars		
1/28/2011	10:05 AM	main	west	mainline/spur switch		
1/28/2011	10:06 AM	spur	east	Sound Delivery	150	engine + 2 cars
1/28/2011	10:09 AM	spur	west	mainline/spur switch	50	engine
1/28/2011	10:10 AM	main	east	Optimus Transport		

end report

# CERTIFIED PAYROLL REPORT

For the week ending: Meeker Southern Railroad Flagging Personnel

Month Day Year 134th Avenue East & Pioneer Way East Rail Crossing  
1 - 15 - 11

Name and Address of Employee	Day and Date (e.g. 10/10/11)						Total Hrs
	Sun	Mon	Tues	Wed	Thu	Fri	
1 <u>Saran Ward</u>							2 1/2
2 <u>James Rose</u>							2 1/2
3							
4							
5							

Hours Worked Each Day (e.g. 9:00 AM - 3:00 PM)

9:00						9:00
10:20						10:05
9:00						9:00
10:20						10:05

Today's Date: 1-25-11 Printed name of party signing this report: Christy Tuttle Title: Payroll

The party signing this report pays or supervises the payment of the persons employed by: Asphalt Patch Systems (Name of Flagging Company)

Project Name: 134 Av E Railroad Crossing For the week starting: 1-09-11 For the week ending: 1-15-11

**The party signing below declare under penalty of perjury that all information contained in this Certified Payroll Report is correct and complete and that all persons hold a current certified flagging card.**

Print name of party signing this report: Christy Tuttle Title: Payroll Signature: Christy Tuttle

# CERTIFIED PAYROLL REPORT

For the week ending:		Meeker Southern Railroad Flagging Personnel						
Month Day Year		134th Avenue East & Pioneer Way East Rail Crossing						
1- 22 - 11								
Name and Address of Employee		Day and Date (e.g. 10/10/11)						
		Sun	Mon	Tues	Wed	Thu	Fri	Sat
Sharon Ward		16	17	18	19	20	21	22
		Hours Worked Each Day (e.g. 9:00 AM - 3:00 PM)						
1			9:00					1 1/4
2	James Rose		10:15					1 1/4
3			9:00					
4			10:15					
5								
Today's Date:		Printed name of party signing this report:			Title:			
1-31-11		Christy Tuttle			Payroll			
The party signing this report pays or supervises the payment of the persons employed by: Asphalt Patch Systems (Name of Flagging Company)								
Project Name:		For the week starting:			For the week ending:			
134 Av E Railroad Crossing		1-16-11			1-22-11			
<b>The party signing below declare under penalty of perjury that all information contained in this Certified Payroll Report is correct and complete and that all persons hold a current certified flagging card.</b>								
Print name of party signing this report:		Title:			Signature:			
Christy Tuttle		President			Christy Tuttle			

# CERTIFIED PAYROLL REPORT

For the week ending: Meeker Southern Railroad Flagging Personnel

Month Day Year 134th Avenue East & Pioneer Way East Rail Crossing  
1-29-11

	Day and Date (e.g. 10/10/11)							Total Hrs
	Sun	Mon	Tues	Wed	Thu	Fri	Sat	
	23	24	25	26	27	28	29	
Hours Worked Each Day (e.g. 9:00 AM - 3:00 PM)								

1	Name and Address of Employee		Hours Worked Each Day (e.g. 9:00 AM - 3:00 PM)		Total Hrs
	Sun	Mon	Tues	Wed	
1	Sharon Ward	9:00 10:15			2 1/2
2	James Rose	9:00 10:15			2 1/2
3					
4					
5					

Today's Date: Printed name of party signing this report:  
1-31-11 Christy Tuttle Title: Payroll

The party signing this report pays or supervises the payment of the persons employed by: (Name of Flagging Company)  
Asphalt Patch Systems

Project Name: For the week starting:  
134 Av E Railroad Crossing 1-23-11 For the week ending: 1-29-11

**The party signing below declare under penalty of perjury that all information contained in this Certified Payroll Report is correct and complete and that all persons hold a current certified flagging card.**

Print name of party signing this report: Title:  
Christy Tuttle Payroll Signature: Christy Tuttle

**Portion of Meeker's Report #2 dated January 31, 2011  
VERIFICATION OF COMPLIANCE WITH TABLE 2**

(a table attached as Exhibit B to WUTC Order 03, which table sets forth "Special Requirements and Operational Limitations Concerning Meeker Southern Railroad's Crossings of 134th Avenue East Via the Mainline and Recently Installed Spur Track Prior to Completion and Commencement of Operation of the Planned Flashing Lights Crossing Signal System")

Requirement/ Limitation #	Description of Requirement/Limitation	Comments
1	Average number of days per week that the spur track will be used for crossings of 134th: <b><u>3 days</u></b>	<p>The period covered by Meeker's Report #2 is Sunday January 9, 2011 through Saturday, January 29, 2011 (a 3-week period). During the week ending Saturday, January 15, 2011, the spur was used for crossings on two days (January 10 and 14). During the week ending Saturday, January 22, 2011, the spur was used for crossings on one day (January 18). During the week ending Saturday, January 29, 2011, the spur was used for crossings on two days (January 24 and 28). Thus, <b>the average number of days per week that that the spur track was used during the reporting period is calculated as follows:</b></p> $\frac{2 + 1 + 2}{3} = \frac{5 \text{ days}}{3 \text{ weeks}} = 1.67 \text{ days per week}$ <p><b>That is less than the subject limitation.</b></p>
2	Maximum number of crossings per day that the spur track may be used for crossings of 134th: <b><u>4</u></b>	As Meeker's accompanying "Log for 134th Ave. E Spur crossing and Mainline crossing For January 09, 2011 through January 29th, 2011" shows, <b>(a) 4 crossings of 134th along the spur track occurred on January 14, 2011 and (b) only 2 crossings of 134th along the spur track occurred on any of the four other days that the spur track was used for crossings.</b>
3	Hours during the day that spur crossings will be limited to: <b><u>9:00 AM to 3:00 PM</u></b>	As Meeker's accompanying "Log for 134th Ave. E Spur crossing and Mainline crossing For January 09, 2011 through January 29th, 2011" shows, <b>all spur crossings occurred between the hours of 9:00 AM to 3:00 PM.</b>
4	Maximum number of train cars per train to be operated through the spur crossing: <b><u>3 cars plus an engine</u></b>	As Meeker's accompanying "Log for 134th Ave. E Spur crossing and Mainline crossing For January 09, 2011 through January 29th, 2011" shows, <b>the maximum number of train cars per train operated through the spur crossing was 3 cars plus an engine.</b>



5	<p>Traffic flagging of 134th Avenue East on the north and south sides of the crossing must be performed in accordance with WAC 296-155-305 by certified flaggers provided by Meeker during all train crossings of 134th via either the spur track or the main line track.</p>	<p>During the period of Sunday, January 9, 2011 through Saturday, January 29, 2011, traffic flagging of 134th Avenue East on the north and south sides of the crossing was performed by certified flagger James L. Rose and Washington State Traffic Control Supervisor Sharon K. Ward, who are employees of Asphalt Patch Systems, Inc. (a third-party company providing flagging services to Meeker) during all train crossings of 134th via either the spur track or the main line track.</p>
6	<p>Meeker will be required to submit to Commission Staff and to Public Works a report (which may be submitted by email), due on the 1st and 15th day of each month, containing the following information verifying compliance with the conditions in this Table 2:</p> <ul style="list-style-type: none"> <li>a. Daily number of trains crossing 134<sup>th</sup> Avenue East on the spur track, their length, and the date and time of each crossing.</li> <li>b. Daily number of trains crossing 134<sup>th</sup> Avenue East on the mainline track, and the date and time of each crossing.</li> <li>c. Certified Payroll Reports (in conformance with the form proposed by Pierce County in its December 30, 2010 response to Meeker's Motion to Amend Order 01) listing the flaggers controlling traffic at the 134<sup>th</sup> Avenue East crossing, and showing the dates and times worked by each flagger.</li> </ul>	<ul style="list-style-type: none"> <li><b>a. Data regarding the daily number of trains crossing 134<sup>th</sup> Avenue East on the spur track, their length, and the date and time of each crossing is set forth on Meeker's accompanying "Log for 134th Ave. E Spur crossing and Mainline crossing For January 09, 2011 through January 29th, 2011"</b></li> <li><b>b. Data regarding the daily number of trains crossing 134<sup>th</sup> Avenue East on the mainline track, and the date and time of each crossing is set forth on Meeker's accompanying "Log for 134th Ave. E Spur crossing and Mainline crossing For January 09, 2011 through January 29th, 2011"</b></li> <li><b>c. Three Certified Payroll Reports (one for each week of this reporting period) are included as a part of this Report #2.</b></li> </ul>