

**BEFORE THE WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION**

| | | |
|---------------------------|---|--------------------|
| CITY OF AUBURN, |) | DOCKET TR-120828 |
| |) | |
| Complainant, |) | |
| |) | |
| v. |) | NOTICE OF FINALITY |
| |) | |
| GATES, GATES, GATES LLC; |) | |
| MOHAWK NORTHERN PLASTICS, |) | |
| LLC d/b/a AMPAC; AND BNSF |) | |
| RAILWAY COMPANY, |) | |
| |) | |
| Respondents. |) | |
| |) | |

- 1 Administrative Law Judge Adam E. Torem entered Order 02, Initial Order Granting Motion to Withdraw Petition, in this docket on November 27, 2012.

- 2 On November 28, 2012, BNSF Railway Company, Mohawk Northern Plastics, LLC, d/b/a AMPAC, and Commission Staff simultaneously filed letters with the Washington Utilities and Transportation Commission (Commission) waiving their right to seek administrative review of Order 02 and requesting the Commission allow the order to become final by operation of law before the time limit for review expire. On December 4, 2012, Gates, Gates, Gates LLC, also filed a letter waiving its right to seek administrative review of Order 02. The Commission will not seek review of the order on its own motion.

- 3 Therefore, under RCW 80.01.060(3), the order became final on December 5, 2012, by operation of law.

- 4 In allowing this order to become final, the Commission does not endorse the order's reasoning and conclusions. If cited in the future, the order must be identified as an Administrative Law Judge's order.

Sincerely,

DAVID W. DANNER
Executive Director and Secretary