

May 1, 2007

Tom Heinecke, Administrator  
City of Puyallup  
1109 39<sup>th</sup> Ave. SE  
Puyallup, Washington 98374

RE: TR-070591, Petition to Construct a Highway-Rail Grade Crossing

Dear Mr. Heinecke:

On March 22, 2007, the city of Puyallup filed a petition with the Utilities and Transportation Commission (commission) to construct a highway-rail grade crossing as part of the Shaw Road Extension project. The commission assigned Docket Number TR-070591 to this petition.

Staff has been working with David Hildebrant, project manager, to resolve several issues. As a result of discussions between staff and Mr. Hildebrant, the commission will take no action on the petition at this time. Phase 1 of the Shaw Road Extension project involves constructing a private crossing, not a public crossing. The commission does not have jurisdiction over private crossings. We will keep this case open until the city amends the petition to include construction of a public crossing in Phase 2 of the Shaw Road Extension project.

Staff has spoken with Dave Hildebrant and Byron Cole from Meeker Southern Railroad and they both support the commission's intended actions.

If you have questions regarding this matter, you may contact Kathy Hunter at (360) 664-1257 or by e-mail at [khunter@wutc.wa.gov](mailto:khunter@wutc.wa.gov).

Sincerely,

Carole J. Washburn  
Executive Secretary

Cc: Byron Cole, Meeker Southern Railroad  
Dave Hildebrant, Parametrix  
Ed Harper, UTC