

# LETTER OF TRANSMITTAL

Date: February 25, 2010

REF: Order Granting Petition to Upgrade Warning Devices and Authorizing Expenditure From the Grade Crossing Protective Fund.

To: Utilities & Transportation Commission  
 1300 S. Evergreen Park Drive, SW  
 PO Box 47250  
 Olympia, WA 98504-7250

ATTN: Kathy Hunter

## PORT OF CHEHALIS

**Rick Rouse**  
 Director of Operations  
 321 Maurin Road  
 Chehalis, WA 98532  
 (360) 748-9365 office  
 (360-740-0204 fax  
 rrouse@portofchehalis.com

COPIES	DATE	NO.	DESCRIPTION
1	2-25-10		Executed grant agreement

2010 MAR -1 AM 8:00  
 RECEIVED  
 PORT OF CHEHALIS  
 COMMUNICATIONS

THESE DOCUMENTS ARE TRANSMITTED AS DESCRIBED BELOW FOR YOUR ACTIONS AND/OR INFORMATION

**Action & file**

## REMARKS

Kathy:

Article 12 (2) of the Petition states that payment will be made upon claim for reimbursement. Is this via an A-19 submitted to your office?

We don't need to know for sure until the work is completed. Just wanted to know if you're our point of contact to send the A-19.

Thanks for your help.

*Rick*

FEB 1 2010

**PROJECT AGREEMENT  
GRADE CROSSING PROTECTIVE FUND**

Docket No.: TR-100190  
Commission Approval Date: February 17, 2010

**A. PARTIES OF THE AGREEMENT**

This project grant agreement (agreement) is entered into between the Washington Utilities and Transportation Commission (UTC), P.O. Box 47250, Olympia, Washington 98504-7250 and the Port of Chehalis, 321 Maurin Road, Chehalis, Washington 98532, and shall be binding upon the agents and all persons acting by or through the parties.

**B. PURPOSE OF THE AGREEMENT**

This agreement sets out the terms and conditions by which grants are made from the Grade Crossing Protective Fund. These grants are administered by the UTC to the grantee for Docket No. TR-100190, identified above.

**C. DESCRIPTION OF PROJECT**

TR-100190 involves replacing obsolete incandescent lights with LED type lights, replacing cross-bucks and upgrading the train detection from PMD-2 to PMD-3. The crossing is identified as USDOT 848701J and located at the intersection of State Route 6 and the Port of Chehalis' tracks in the City of Adna in Lewis county, Washington.

**D. PERIOD OF PERFORMANCE**

The project reimbursement period shall begin on February 17, 2010, and end October 1, 2010. No expenditure made before or after this period is eligible for reimbursement unless incorporated by written amendment into this agreement.

**E. PROJECT FUNDING**

Total grant funding awarded by the UTC for this project shall not exceed \$10,114. The total approximate cost of the project is \$10,114, excluding labor costs. The operating railroad, The Chehalis/Centralia Railroad is contributing the labor costs to install the upgrades. The grantee shall be responsible for all additional costs.

**F. RIGHTS AND OBLIGATIONS**

All rights and obligations of the parties to this agreement are subject to this agreement and its attachments, including the grantee's application, commission orders, and the general provisions, all of which are attached and incorporated into this agreement.

Except as provided, no alteration of any of the terms or conditions of this agreement will be effective unless provided in writing. All alterations must be signed by both parties.

The grantee has read, fully understands and agrees to be bound by all terms and conditions in these documents.

G. COMPLIANCE WITH APPLICABLE STATUTES, RULES, AND UTC POLICIES

This agreement is governed by, and the grantee shall comply with, all applicable state and federal laws and regulations, including RCW 81.53.281, the published agency rules in 480-62 WAC, and the commission's order in this matter which are incorporated by this reference as if fully set forth.

H. PROJECT GRANT AGREEMENT REPRESENTATIVE

All written communications sent to the grantee under this agreement will be addressed and delivered to:

Port of Chehalis  
Rick Rouse  
321 Maurin Road  
Chehalis, WA 98532

Utilities and Transportation Commission  
Kathy Hunter  
1300 S. Evergreen Park Dr. SW  
P.O. Box 47250  
Olympia, WA 98504-7250

These addresses shall be effective until receipt by one party from the other of a written notice of any change.

I. ENTIRE AGREEMENT

This agreement, along with all attachments, constitutes the entire agreement of the articles. No other understandings, oral or otherwise, regarding this agreement shall exist or bind any of the parties.

J. EFFECTIVE DATE

This agreement shall be effective upon signing by all parties.

State of Washington  
Utilities and Transportation Commission

By: [Signature]  
(Executive Director and Secretary)

Date: 2/16/10

Port of Chehalis  
By: [Signature]  
Title: COMMISSIONER

Date: 2/25/10

Approved as to form:

By: \_\_\_\_\_ /s/  
Assistant Attorney General

2010 MAR -1 AM 8:07  
JIM C. FRANK  
JULIA M. TRAHAN  
COMMISSIONER