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ENTERED  
Office of Proceedings  
June 27, 2016  
Part of  
Public Record

June 27, 2016

**ELECTRONICALLY FILED**

Ms. Cynthia T. Brown  
Chief, Section of Administration  
Office of Proceedings  
Surface Transportation Board  
395 "E" Street S.W.  
Washington, D.C. 20423-0001

**Re: Docket No. FD 35915**  
*Tri-City Railroad Company, LLC v. City of Kennewick and City of Richland*  
Request for Decision

Dear Ms. Brown,

We write this letter to you upon recommendation of the Office of Governmental Affairs at the Surface Transportation Board, concerning the timing of a final decision in FD 35915.

Subsequent to Tri-City Railroad Company, LLC's ("TCRY") filing of a Petition for Declaratory Order, the Board initiated a modified proceeding on May 21, 2015, which is 403 days from the date of the instant letter.

As can be seen from the docket, after granting the parties the opportunity for additional pleadings, the Board ordered the record closed in FD 35915 on September 30, 2015, which is 271 days from the date of the instant letter.

TCRY is a small local business with sixteen employees, and is not financially capable of remaining in limbo for a period of years while it is determined whether or not it is permitted to continue its operations at their present location. Consequently, TCRY respectfully requests that

Ms. Cynthia T. Brown

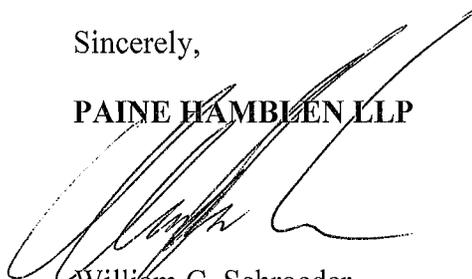
June 27, 2016

Page 2

the Board issue an appropriate decision resolving the claims between these parties as soon as possible.

Sincerely,

**PAINE HAMBLÉN LLP**

A handwritten signature in black ink, appearing to read 'William C. Schroeder', is written over the company name.

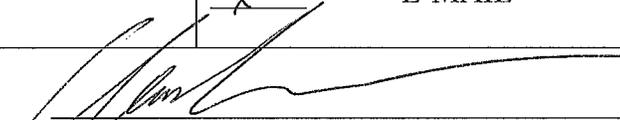
William C. Schroeder

cc: Heather Kintzley  
Lisa Beaton  
Steve Dijulio  
Stephanie Weir  
Christopher Emch

**CERTIFICATE OF SERVICE**

I hereby certify that on this 27 day of June, 2016, I caused to be served a true and correct copy of the foregoing **TRI- CITY RAILROAD COMPANY, LLC'S REQUEST FOR DECISION** by the method indicated below and addressed to the following:

Heather Kintzley Richland City Attorney 975 George Washington Way PO Box 190 MS-07 Richland, WA 99352	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/>	U.S. MAIL HAND DELIVERED OVERNIGHT MAIL TELECOPY E-MAIL
Lisa Beaton Kennewick City Attorney 210 West 6 <sup>th</sup> Avenue P.O. Box 6108 Kennewick, WA 99336	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/>	U.S. MAIL HAND DELIVERED OVERNIGHT MAIL TELECOPY E-MAIL
P. Stephen DiJulio Stephanie Weir Christopher Emch Foster Pepper PLLC 1111 Third Avenue, Suite 3400 Seattle, WA 98101	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/>	U.S. MAIL HAND DELIVERED OVERNIGHT MAIL TELECOPY E-MAIL

  
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WILLIAM C. SCHROEDER