

United States Senate

WASHINGTON, DC 20510-4705

July 26, 2016

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The Honorable Daniel R. Elliott III, Chairman
U.S. Surface Transportation Board
395 E Street, SW
Washington, DC 20423-0001

The Honorable Deb Miller, Vice Chairman
U.S. Surface Transportation Board
395 E Street, SW
Washington, DC 20423-0001

The Honorable Ann D. Begeman, Commissioner
U.S. Surface Transportation Board
395 E Street, SW
Washington, DC 20423-0001

ENTERED
Office of Proceedings
July 26, 2016
Part of
Public Record

RE: Tri-City Railroad Co. v. The City of Kennewick and The City of Richland

Dear Chairman Elliott, Vice Chairman Miller, and Commissioner Begeman:

I write in the interest of my constituents, the City of Kennewick and the City of Richland, Washington regarding the case *Tri-City Railroad Company – Petition for Declaratory Order* (Finance Docket No. 35915) currently pending before the Surface Transportation Board (Board).

Finance Docket No. 35915 concerns the City of Kennewick and the City of Richland's Center Parkway Project that would develop an at-grade rail crossing over two active tracks utilized by the Tri-City Railroad Co., a Class III railroad. Tri-City Railroad Co. has petitioned for a declaratory order, contending that the proposed at-grade crossing is not "routine". According to 5 U.S.C. § 554(e) and 49 U.S.C. § 721, the Board may issue a declaratory order to terminate a controversy or remove uncertainty, where such exists.

The Center Parkway Project is a long planned transportation network investment that improves regional mobility in preparation for dramatic population and industry growth anticipated in the area. By 2030, the City of Kennewick and the City of Richland will experience population growth of 56 and 68 percent, respectively. Extension of Center Parkway by 800 feet, over the active tracks, to connect to Tapteal Drive would improve emergency response times, reduce traffic congestion, and promote economic development of 60 adjacent acres of commercial property. Both the Benton County Superior Court and the Washington State Court of Appeals have affirmed the Washington Utilities and Transportation Commission's final order approving the construction of the at-grade crossing.

Originally petitioned in March 2015, the Board has yet to issue a final decision in this case. I am confident that the members of the Surface Transportation Board will provide full and fair consideration of the merits of this case and I would appreciate your assistance in providing an expeditious review of this matter.

Sincerely,



Maria Cantwell
United States Senator

EVERETT
2930 WETMORE AVENUE
SUITE 9B
EVERETT, WA 98201
(425) 303-0114
FAX: (425) 303-8351

RICHLAND
825 JADWIN AVENUE
SUITE 204/204A
RICHLAND, WA 99352
(509) 946-8106
FAX: (509) 946-6937

SEATTLE
JACKSON FEDERAL BUILDING
915 2ND AVENUE, SUITE 3206
SEATTLE, WA 98174-1003
(206) 220-6400
TOLL FREE: 1-888-648-7328
FAX: (206) 220-6404

SPOKANE
U.S. FEDERAL COURTHOUSE
WEST 920 RIVERSIDE, SUITE 697
SPOKANE, WA 99201
(509) 353-2507
FAX: (509) 353-2547

TACOMA
950 PACIFIC AVENUE
SUITE 615
TACOMA, WA 98402
(253) 572-2281
FAX: (253) 572-5879

VANCOUVER
MARSHALL HOUSE
1313 OFFICERS' ROW
FIRST FLOOR
VANCOUVER, WA 98661
(360) 696-7838
FAX: (360) 696-7844

WASHINGTON, DC
511 HART SENATE OFFICE BUILDING
WASHINGTON, DC 20510-4705
(202) 224-3441
FAX: (202) 228-0514