



STATE OF WASHINGTON  
UTILITIES AND TRANSPORTATION COMMISSION

621 Woodland Square Loop S.E. • Lacey, Washington 98503

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(360) 664-1160 • TTY (360) 586-8203

May 20, 2024

Richard Scott  
Assistant Director, Public Projects  
BNSF Railway Company  
2454 Occidental Ave. S., Suite 1A  
Seattle, WA 98134

Sent via email to [Richard.Scott2@BNSF.com](mailto:Richard.Scott2@BNSF.com)

**RE: TR-240364 – Petition to Modify a Highway-Rail Grade Crossing – NW 122<sup>nd</sup> Street (USDOT 092421N), Clark County**

Dear Mr. Scott:

On May 15, 2024, Clark County filed the enclosed petition with the Washington Utilities and Transportation Commission (UTC) seeking approval to modify a highway-rail grade crossing at NW 122<sup>nd</sup> Street. BNSF Railway Company (BNSF) must respond with its position related to this petition within 20 days of the date of this letter.

**Please review the enclosed petition and respond through electronic filing by June 10, 2024.**

Your response options include:

- **Support the petition:**
  - Sign Section 10 – Cost Apportionment
  - Complete Section 11 – Waiver of Hearing by Respondent that serves as BNSF's consent for the UTC to issue an order without further notice or hearing
  - Submit the petition to the UTC.

Richard Scott  
May 20, 2024  
Page 2

- **Do not support the petition** – Provide a response including BNSF’s reasons for not supporting the petition, including whether BNSF believes an administrative hearing is necessary to resolve the issues.

If your response is not received by June 10, 2024, the matter will proceed to scheduling for an administrative hearing.

Please submit your written response via [electronic filing](#) in Docket TR-240364. If you have questions, please contact Betty Young, Rail Operations Manager, at [betty.young@utc.wa.gov](mailto:betty.young@utc.wa.gov) or (360) 292-5470.

Sincerely,

Kathy Hunter  
Director, Transportation Safety

Enclosures

cc: Ken Lader, Director of Public Works, Clark County (without enclosures)