

ATTORNEY GENERAL OF WASHINGTON

Utilities and Transportation Division 1400 S Evergreen Park Drive SW • PO Box 40128 • Olympia WA 98504-0128 • (206) 753-2281

September 26, 1994

Steve McLellan, Secretary
Washington Utilities and
Transportation Commission
1300 S. Evergreen Park Drive SW
P.O. Box 47250
Olympia, Washington 98504-47250

Re: Burlington Northern Railroad Co. v. Ferndale, Docket No. TR-940330

In Re Petition of Burlington Northern Railroad Co., Washington State Department of Transportation, and the National Railroad Passenger Corporation to Modify Train Speeds in Ferndale, Docket No. TR-940308

Dear Mr. McLellan:

Enclosed are the original and three copies of the Motion of Commission Staff to Consolidate Proceedings in the above referenced matters. Please accept the same for filing.

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Very truly yours,

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ANN E. RENDAHL
Assistant Attorney General

Encl.

cc w/encl: Parties of record

Lisa Anderl, ALJ

BEFORE THE WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

BURLINGTON NORTHERN RAILROAD COMPANY,	
Petitioner,	DOCKET NO. TR-940330
vs.	(
FERNDALE, WASHINGTON	
Respondent.	
In the matter of the Petition of the WASHINGTON STATE DEPARTMENT OF TRANSPORTATION, BURLINGTON NORTHERN RAILROAD COMPANY,	
and THE NATIONAL RAILROAD PASSENGER CORPORATION for	DOCKET NO. TR-940308
Modification of Order Regulating the Speed of Passenger Trains in Ferndale, Washington.	MOTION OF COMMISSION STAFF FOR CONSOLIDATION OF PROCEEDINGS

Pursuant to WAC 480-09-610, the Staff of the Washington Utilities and Transportation Commission (Commission) respectfully requests that the above referenced proceedings be consolidated. Both proceedings involve the closure of a grade crossing of railway tracks located in the City of Ferndale, Washington.

In the first proceeding, Docket No. TR-940330, Burlington Northern Railroad Company (Burlington Northern) has filed a petition with the Commission seeking authority to close the Thornton Road grade crossing in Ferndale. In the second proceeding, TR-940308, Burlington Northern, together with the Washington State Department of Transportation (WSDOT) and the National Passenger Railroad Corporation (Amtrak), have filed a

MOTION OF COMMISSION STAFF - 1 FOR CONSOLIDATION OF PROCEEDINGS petition seeking modification of train speeds in Ferndale. In the joint petition, Burlington Northern, WSDOT and Amtrak indicate that the Thornton Road grade crossing is a "candidate for closure." (See Petition, at 3).

Similar testimony and evidence concerning the closure of the grade crossing is likely to be presented during both proceedings. It is, therefore, appropriate that the proceedings be consolidated.

DATED This 26th day of September, 1994.

Respectfully submitted,

CHRISTINE O. GREGOIRE Attorney General

ANN E. RENDAHL

Assistant Attorney General

CERTIFICATE

I hereby certify that I have this day served a true copy of the foregoing document upon the persons and entities listed on the Service List below by depositing a copy of said Motion of Commission Staff for Consolidation of Proceedings in the United States mail, addressed as shown on said Service List, with first class postage prepaid.

DATED This 26th day of September, 1994.

Ann E. RENDAHL

SERVICE LIST

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MOTION OF COMMISSION STAFF - 3 FOR CONSOLIDATION OF PROCEEDINGS