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March 6, 2009

VIA FED-EX

Dave Danner, Secretary
Washington Utilities and Transportation Commission
1300 S. Evergreen Park Drive S.W.
P.O. Box 47250
Olympia, WA 98504-7250

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WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

RE: *Docket No. TR-090121 (BNSF Railway Company v. Snohomish County)*

Dear Mr. Danner:

Enclosed please find the original and eleven copies of *BNSF'S Preliminary Witness and Exhibits List* and the exhibits, for filing in the above referenced matter. The documents have also been submitted in electronic form to <records @wutc.wa.gov>, and copies sent to the interested parties.

Please do not hesitate to call should you have any questions or comments.

Very truly yours,

Montgomery Scarp MacDougall, PLLC



Lisa Miller
Paralegal

enclosures

cc: Adam E. Torem
Jonathan Thompson
Justin Kasting / Matthew Otten
Lynn Logen