**BEFORE THE** **WASHINGTON**

**UTILITIES AND TRANSPORTATION COMMISSION**

|  |  |  |
| --- | --- | --- |
| WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION,  Complainant,  v.  BNSF RAILWAY COMPANY,  Respondent. |  | DOCKET TR-150284    RESPONDENT BNSF RAILWAY COMPANY’S ACCEPTANCE OF FINAL SETTLEMENT APPROVAL ORDER 02, AS CLARIFIED BY ORDER 03 |

RESPONDENT BNSF RAILWAY COMPANY (“BNSF”) hereby accepts the conditions imposed by the Commission’s Order 02 (Final Order Approving Settlement Agreement With Conditions, dated December 7, 2015), as clarified by the Commission’s Order 03 (Order Clarifying Order 02, Requiring Unqualified Acceptance Or Rejection Of Commission Conditions On Approval Of Settlement Agreement, And Modifying Penalty Payment Due Date, dated December 18, 2015).

RESPECTFULLY SUBMITTED this 22nd day of December, 2015.

FOSTER PEPPER PLLC

*s/Christopher G. Emch*

P. Stephen DiJulio, WSBA #7139

Christopher G. Emch, WSBA #26457

1111 Third Avenue, Suite 3400

Seattle, Washington 98101-3299

Telephone: (206) 447-4400

Facsimile: (206) 447-9700

Email: dijup@foster.com  
Email: emchc@foster.com

Attorneys for BNSF Railway Company

**CERTIFICATE OF SERVICE**

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

|  |  |
| --- | --- |
| **For Washington Utilities and Transportation Commission:**  Julian Beattie  Office of the Attorney General  Utilities and Transportation Division  1400 S. Evergreen Park Drive SW  PO Box 40128  Olympia, WA 98504-0128  Email: [jbeattie@utc.wa.gov](mailto:jbeattie@utc.wa.gov) |  |

I declare under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct.

DATED: December 22, 2015, at Seattle, Washington.

*s/Debra A. Samuelson*

Debra A. Samuelson