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WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

BNSF RAILWAY COMPANY)	Docket No. 070696
PETITIONER,)	PETITION TO INTERVENE BY
vs.)	SKAGIT COUNTY FIRE PROTECTION
THE COUNTY OF SKAGIT)	DISTRICT NO. 3 AS AN INTERESTED
RESPONDENT)	PARTY

1. Name and Address of Petitioner:

Skagit County Fire Protection District No. 3
P.O. Box 753
Conway, WA 98238

2. Name and Address of the attorney, if any, representing the Petitioner.

Brian K. Snure
Snure Law Office, PSC
612 S. 227th St.
Des Moines, WA 98198
Phone: 206-824-5630
Fax: 206-824-9096
Email: Brian@snurelaw.com

1 **3. If the Petitioner is an organization:**

2 **a. State the numbers of members in the organization:**

3
4 N/A

5 **b. State the name of the person authorized to initiate this petition for the**
6 **organization:**

7
8 Brian K. Snure, pursuant to direction from Board of Commissioners.

9
10 **c. Attach a copy of the document authorizing participation in this case or**
11 **state the basis for the authorization.**

12
13 Copy of Resolution Authorizing Petition to Intervene in WUTC Docket No. 070696
14 For Purposes of Opposing Closing of Railroad Grade at Hickox Crossing is attached hereto
15 as Exhibit A.

16
17 **d. State the purpose of the organization:**

18 The District is responsible for providing fire protection and emergency medical
19 services to residents and visitors to the area that would be directly impacted if the Hickox
20 Road crossing were closed.

21
22 **4. The Petitioner has the following interest in this proceeding:**

23 The Board of Commissioners has determined that the grade closing will have a
24 negative impact on the District's ability to provide fire protection and emergency medical
25 services in a manner consistent with local, state and national response time standards. As a
26

1 result the closing of the crossing and will directly jeopardize the health and safety of the
2 citizens residing, working or visiting the area affected by the closure. Petitioner's interests
3 are set forth in detail in Skagit County Fire Protection District No. 3 *Comments in*
4 *Opposition to Petition To Abandon and Close highway-Rail Grade Crossing at Hickox*
5 *Road*, "Comments" filed in this matter on May 31, 2007.
6

7 **5. The Petitioner's position with respect to the matters in controversy:**

8 Petitioner opposes the closing of the crossing for the reasons set forth in its
9 Comments.

10 **6. Whether the Petitioner proposes to broaden the issues in the proceeding:**

11 Petitioner does not intend to broaden the issues beyond the negative affect of the
12 proposed closing on the District's ability to provide fire protection and emergency medical
13 services as outlined in its Comments.
14

15 **On behalf of Skagit County Fire Protection District No. 3, I submit this Petition**
16 **to Intervene and request authorization to participate in this proceeding.**
17

18 Dated: 7-6-2007.



19
20 Brian K. Snure, WSBA 23275
21 Attorney For Skagit County
22 Fire Protection District No. 3
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EXHIBIT A

**SKAGIT COUNTY FIRE PROTECTION DISTRICT NO. 3
RESOLUTION NO. _____**

**RESOLUTION AUTHORIZING PETITION TO INTERVENE IN WUTC DOCKET NO. 070696 FOR
PURPOSES OF OPPOSING CLOSING OF RAILROAD GRADE AT HICKOX CROSSING**

Background: The Board of Commissioners of Skagit County Fire Protection District No. 3 is responsible for providing fire protection and emergency medical services within the boundaries of the District.

BNSF Railway Company has petitioned the Washington Utilities and Transportation Commission to close the railroad grade crossing at Hickox Road located within the District.

The Board of Commissioners has determined that the grade closing will have a negative impact on the District's ability to provide fire protection and emergency medical services in a manner consistent with local, state and national response time standards and will directly jeopardize the health and safety of the citizens residing, working or visiting the area affected by the closure.

The Board of Commissioners previously authorized Snure Law Office, PSC to file comments in opposition to the petition to abandon and close the highway-rail grade crossing at Hickox Road.

Resolution: NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners of Skagit County Fire Protection District No. 3 as follows:

- 1) Snure Law Office, PSC is authorized to file a Petition to Intervene in WUTC Docket No. 070696 and to represent the District's interests in the proceedings before the WUTC.

Adoption: ADOPTED by the Board of Commissioners of Skagit County Fire Protection District No. 3, at a special open public meeting of such Board on the 5 day of July, 2007, the following Commissioners being present and voting:

Vic Benson
Commissioner

Paul S. East
Commissioner

Commissioner

Krista Salmas
Secretary