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BEFORE THE WASHINGTON UTILITIES AND TRANSPORTATION  
COMMISSION

|                       |                         |
|-----------------------|-------------------------|
| BNSF RAILWAY COMPANY, | ) DOCKET TR140382 and   |
|                       | ) DOCKET TR140383       |
| Petitioner,           | )                       |
| vs.                   | )                       |
|                       | ) PREFILED TESTIMONY OF |
| YAKIMA COUNTY,        | ) PHILIP SEALOCK        |
|                       | )                       |
| Respondent.           | )                       |
|                       | )                       |

---

**1. Please state your name and address.**

Philip Sealock, 5440 South Wapato Road, Toppenish, WA 98948.

**2. What is your occupation?**

I am a farmer. I farm about 3000 acres on both sides of the BNSF line in an area generally southeast of the City of Toppenish. I farm primarily mint, potatoes, asparagus, wheat, corn and hay, although I farm other crops as well.

**3. Do your farming operations use the railroad at-grade crossings at North Stevens Road and Barnhart Road?**

Yes. My farming operations are based at 1601 Larue Road, south of the BNSF line. I have farmland north of the BNSF line in the vicinity of Blue Heron Road. My equipment usually uses the North Myers Road crossing to access this farmland.

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3 However, I also have farmland further south, near Chambers Road. The farm equipment  
4 usually accesses this property by way of the North Stevens Road crossing.


5 **4. Would the closure of the railroad at-grade crossings at North Stevens Road**  
6 **and Barnhart Road divert your farming equipment onto SR 22 and other**  
7 **roadways?**

8 Yes. The closure of the North Stevens Road crossing will result in additional  
9 trips by heavy farm equipment along both SR 22 and South Track Road. In my view,  
10 neither South Track Road nor SR 22 are suitable for farm equipment and both pose  
11 extreme safety hazards.

12  
13 DECLARATION

14 I, PHILIP SEALOCK, declare under penalty of perjury under the laws of the  
15 State of Washington that the foregoing PREFILED TESTIMONY OF PHILIP  
16 SEALOCK is true and correct to the best of my knowledge and belief.

17  
18 DATED THIS 28 day of November, 2014.

19  
20   
21 Philip Sealock

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DATED THIS 12th day of February, 2015.

MENKE JACKSON BEYER, LLP



KENNETH W. HARPER  
WSBA #25578  
*Attorneys for Respondent Yakima County*  
807 North 39<sup>th</sup> Avenue  
Yakima, WA 98902  
(509) 575-0313  
(509) 575-0351/Fax  
[kharper@mjbe.com](mailto:kharper@mjbe.com)

PREFILED TESTIMONY OF  
PHILIP SEALOCK - 3

MENKE JACKSON BEYER, LLP  
807 North 39<sup>th</sup> Avenue  
Yakima, WA 98902  
Telephone (509)575-0313  
Fax (509)575-0351

Exhibit No. \_\_\_\_\_ (PS-1T)

1  
2  
3 CERTIFICATE OF SERVICE

4 I am over the age of 18; and not a party to this action. I am the assistant to an  
5 attorney with Menke Jackson Beyer, LLP, whose address is 807 North 39<sup>th</sup> Avenue,  
6 Yakima, Washington, 98902.

7 I hereby certify that the original and three copies of the foregoing have been sent  
8 by Overnight Delivery to Mr. Steven King, Executive Director and Secretary,  
9 Washington State Utilities and Transportation Commission, 1300 South Evergreen Park  
10 Drive, S.W., Olympia, Washington, 98504; and a .pdf version electronically filed  
11 (www.utc.wa.gov/efiling) and emailed (records@utc.wa.gov). I also certify that true and  
12 complete copies have been sent via electronic mail to the following interested parties:

13 Mr. Tom Montgomery  
14 Mr. Bradley Scarp  
15 Attorneys at Law  
16 Montgomery Scarp, PLLC  
17 1218 Third Avenue, Suite 2500  
18 Seattle WA 98101

19 Mr. Ethan Jones  
20 Associate Attorney  
21 Confederated Tribes & Bands of the Yakama Nation  
22 P.O. Box 151  
23 Fort Road  
24 Toppenish WA 98948

25 Mr. R. Joseph Sexton  
26 Attorney at Law  
27 Galanda Broadman, PLLC  
28 8606 35th Avenue NE, Suite L1  
29 P.O. Box 15146  
30 Seattle WA 98115

Rayne Pearson  
Administrative Law Judge  
Washington Utilities and Transportation Commission  
1300 South Evergreen Park Drive SW  
Olympia, WA 98504

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

DATED THIS 12<sup>th</sup> day of February, 2015.

  
KATHY S. LYCZEWSKI

PREFILED TESTIMONY OF  
PHILIP SEALOCK - 4

MENKE JACKSON BEYER, LLP  
807 North 39<sup>th</sup> Avenue  
Yakima, WA 98902  
Telephone (509)575-0313  
Fax (509)575-0351

Exhibit No. \_\_\_\_\_ (PS-1T)