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BEFORE THE WASHINGTON STATE
UTILITIES AND TRANSPORTATION COMMISSION

**IN RE PENALTY ASSESSMENT:
TR-121921**

)
) DOCKET NO. TR-121921
)
) DECLARATION OF CHAD
) SCHERWINSKI
)
)

I, Chad Scherwinski, under penalty of perjury of the laws of the State of Washington,
hereby declare:

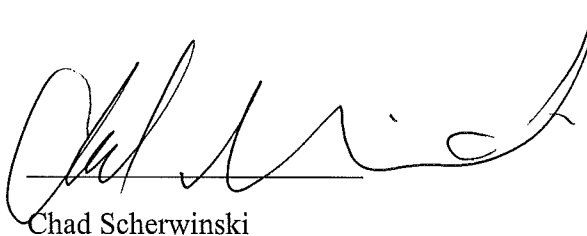
1. I am employed as the Division Engineer for the Northwest North division at the BNSF Railway Company (“BNSF”).
2. I understand that the Washington Utilities and Transportation Commission copied me on two letters – dated November 6, 2012 and December 21, 2012 – sent to Roadmaster Rob Owen.
3. I did not see either of these letters, and have no record of having received them.
4. In November and December 2012, I was focused on managing the aftermath of

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1 a multitude of mud slides affecting rail service in Washington. Between November 6, 2012
2 and January 12, 2013, 112 mud slides affected BNSF operations between Seattle and Everett.
3 This was a record number of slides (by far), as has been widely reported in the press.
4 Responding to them required an extraordinary amount of my time and attention, as well as the
5 time and attention of all involved BNSF employees (including Roadmaster Rob Owen), so
6 while my not seeing the letters is regrettable, it does not surprise me.

7 DATED this 13TH day of March, 2013, at Seattle, Washington.

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Chad Scherwinski