

May 7, 2007

Nancy Scott, Clerk
Skagit County
205 W. Kincaid, Room 103
Mount Vernon, WA 98273

Sent via Certified Mail

RE: TR-070696 Petition from BNSF Railway Company

Dear Ms. Scott:

On April 11, 2007, BNSF Railway Company (BNSF) filed a petition with the Washington Utilities and Transportation Commission (commission), seeking approval to abandon and close a railroad-highway grade crossing at Hickox Road (US DOT #084737D) in Skagit County, Washington. The commission has assigned docket TR-070696 to this petition.

Attached is a copy of the petition filed by BNSF and serves as official notice of the filing of the petition.

Please review the attached petition and respond by May 27, 2007. Your response options include:

- Support the petition – Complete the Respondent's Waiver of Hearing form, which serves as your consent for the commission to issue an order without further notice or hearing.
- Do not support the petition – Reply with your position and include whether you feel a hearing is necessary to resolve the issues or suggest other courses of action, such as further discussion prior to going to hearing.

If you do not respond within 20 days of the date of this letter, we will assume you do not support the petition and will set the matter for hearing. You will be required to attend the hearing and respond to the commission.

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The commission has also posted notice of the potential closure at the Hickox Road railroad-highway grade crossing and will send a letter to residents who live nearby the crossing asking for their comments.

If you have any questions, please contact Kathy Hunter at (360) 664-1257 or by e-mail khunter@wutc.wa.gov.

Sincerely,

Carole J. Washburn
Executive Secretary

Enclosure

cc: John Li, BNSF Railway Company