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7	BEFORE THE WASHINGTON STATE	
8 9	UTILITIES AND TRANSPOR	TATION COMMISSION
10	CITY OF KENNEWICK,)
11	Petitioner,)) DOCKET NO. TR-040664
12	V.) BNSF'S PRE-HEARING CONFERENCE
13	UNION PACIFIC RAILROAD,) DISCLOSURES
14	Respondent.	
15		
16	CITY OF KENNEWICK,	
17	Petitioner,) DOCKET NO. TR-050967
18	V.) BNSF'S PRE-HEARING CONFERENCE DISCLOSURES
19	PORT OF BENTON and TRI-CITY & OLYMPIA RAILROAD,) DISCLOSURES))
20	Respondent.	
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22 23	Respondent BNSF Railway Company (BNSF), formerly known as The Burlington	
24	Northern and Santa Fe Railway Company, submits the following:	
25	WITNESS LIST	
26	1. Richard T. Bartoskewitz, BNSF General Director Transportation. Mr.	
27		
		MONTGOMERY SCARP MACDOUGALL, PLLC 1218 Third Avenue, Suite 2700

1	Bartoskewitz may testify regarding BNSF property ownership and the impact on BNSF's	
2	operations and employee safety due to the construction and placement of the proposed at-	
3	grade crossing.	
4	Due to another potentially unavoidable commitment, BNSF may need to substitute Mr.	
5	Bartoskewitz with another witness, BNSF Manager Public Projects Danniel MacDonald or the	
6	individual taking over his responsibilities. If so, Mr. Bartoskewitz's replacement will testify	
7	to the same topics addressed above.	
8	EXHIBIT LIST	
9	BNSF may use the exhibits submitted by the other parties to this matter.	
10	RESERVATIONS	
11	BNSF reserves the right to submit exhibits that may be necessary to refute or impeach	
12	the testimony of witnesses who offer testimony contrary to the written testimony previously	
13	submitted.	
14	DATED this 9th day of October, 2006.	
15	Montgomery Scarp MacDougall, PLLC	
16		
17	s/Kevin S. MacDougall Kevin S. MacDougall, WSBA No. 31280	
18	Of Attorneys for Defendant BNSF Railway Company	
19	Divor Kanway Company	
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