

# Montgomery Scarp MacDougall, PLLC

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August 26, 2009

VIA FED-EX

Dave Danner, Secretary  
Washington Utilities and Transportation Commission  
1300 S. Evergreen Park Drive S.W.  
P.O. Box 47250  
Olympia, WA 98504-7250

RE: *Docket No. TR-090121 (BNSF Railway Company v. Snohomish County)*

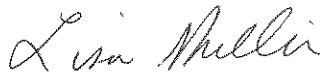
Dear Mr. Danner:

Enclosed please find the original and eleven copies of three additional exhibits (Determination of Nonsignificance; SEPA Environmental Checklist; Location Map) requested by Judge Torem for filing in the above referenced matter. The documents have also been submitted in electronic form to <records @wutc.wa.gov>, and copies sent via electronic mail and U.S. Mail to the interested parties.

Please do not hesitate to call should you have any questions or comments.

Very truly yours,

Montgomery Scarp MacDougall, PLLC



Lisa Miller  
Paralegal

enclosures

cc. Adam E. Torem  
Jonathan Thompson  
Justin Kasting / Matthew Otten  
Lynn Logen