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7	BEFORE THE WASHINGTON STATE		
8	UTILITIES AND TRANSPORTATION COMMISSION		
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10	CITY OF KENNEWICK,)	
11	Petitioner,) DOCKET NO. TR-040664	
12	v.) PREPARED TESTIMONY OF) JAMES T. LABBERTON	
13	UNION PACIFIC RAILROAD,) JAMES 1. LADDERTON	
14	Respondent.)	
15)	
16	CITY OF KENNEWICK,)	
17	Petitioner,) DOCKET NO. TR-050967	
18	v.	 PREPARED TESTIMONY OF JAMES T. LABBERTON 	
19	PORT OF BENTON and TRI-CITY & OLYMPIA RAILROAD,) JAMES 1. LADDERTON	
20	Respondent.)	
21	Respondent.)	
22		/	
23	INTRODUCTION		
24	1. Please state your full name and job title.		
25	James T. Labberton, BNSF Terminal Manager.		
26			
27	2. Please describe your position with	2. Please describe your position with BNSF Railway Company (BNSF).	
	PREPARED TESTIMONY OF	MONTGOMERY SCARP MACDOUGALL, PLLC 1218 Third Avenue, Suite 2700	

JAMES T. LABBERTON - 1

1218 Third Avenue, Suite 270 Seattle, Washington 98101 Telephone (206) 625-1801 Facsimile (206) 625-1807 I have been employed by BNSF Railway Company (BNSF), or one of its predecessors, for approximately 31 years. During my employment, I have worked as a Dispatcher, Chief Dispatcher, Trainmaster, and Terminal Manager, including the last 4 years in said position out of BNSF's Pasco, Washington terminal. In general, my duties as Terminal Manager include supervising the receipt and re-classification of railcars for subsequent transportation and supervising employees that make up and run BNSF trains out of Pasco.

3. Does BNSF own the property and/or tracks at the location of the proposed crossing?

No.

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4. Please describe the effect that BNSF's railroad operations will have on the proposed crossing and the effect that said crossing will have on BNSF's railroad operations.

BNSF and the UPRR interchange with Tri-City & Olympia Railroad at the Richland Juction. BNSF performs switching operations in the location of the proposed crossing approximately one time per day, five days per week. Each switching maneuver could require several switching moves, which could block the proposed crossing for up to 30 minutes. Most of said movements would be made as shove moves that would be protected by one employee positioned at the rear at the cut of railcars.

DECLARATION

I, James T. Labberton, declare under penalty of perjury under the laws of the State of Washington that the foregoing PREPARED TESTIMONY OF JAMES T. LABBERTON is true and correct to the best of my knowledge and belief. DATED this 13th day of October, 2006.

> s/James T. Labberton JAMES T. LABBERTON

> > MONTGOMERY SCARP MACDOUGALL, PLLC 1218 Third Avenue, Suite 2700 Seattle, Washington 98101 Telephone (206) 625-1801 Facsimile (206) 625-1807

PREPARED TESTIMONY OF JAMES T. LABBERTON - 2