Exhibit No.\_\_\_\_\_ (PB-5T)

**BEFORE THE WASHINGTON STATE**

**UTILITIES AND TRANSPORTATION COMMISSION**

BNSF RAILWAY COMPANY,

Petitioner

vs.

WHATCOM COUNTY,

 Respondent.

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DOCKET NO: TR-150189

SUPPLEMENTAL PREFILED

TESTIMONY OF PIERRE BORDENAVE

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Q: **Mr. Bordneave, you submitted prefiled testimony on October 20, 2015, relating to the SEPA review of the Intalco Yard Improvement Project. In that testimony, you stated that once you received the Department of Ecology’s Determination you would provide it to the parties in this proceeding. Have you since received a Determination from the DOE?**

A: Yes. It is attached to this testimony as SEPA, Exh. PB-6.

DECLARATION

I, PIERRE BORDENAVE, declare under penalty of perjury under the laws of the State of Washington that the foregoing SUPPLEMENTAL PREFILED TESTIMONY OF PIERRE BORDENAVE is true and correct to the best of my knowledge and belief.

 DATED this \_\_\_\_ day of November, 2015.

PIERRE BORDENAVE

DATED this \_\_\_\_\_\_\_\_ day of November, 2015.

Montgomery Scarp, PLLC

Kelsey Endres, WSBA #39409

Attorney for BNSF Railway Company

1218 Third Ave., Suite 2500

Seattle, WA 08101

Tel. (206) 625‑1801; Fax (206) 625‑1807

Kelsey@montgomeryscarp.com

**CERTIFICATE OF SERVICE**

I am over the age of 18; and not a party to this action. I am the assistant to an attorney with Montgomery Scarp PLLC, whose address is 1218 Third Avenue, Suite 2500, Seattle, Washington, 98101.

I hereby certify that the original and 1 copy of the SUPPLEMENTALPREFILED TESTIMONY OF PIERRE BORDENAVE have been sent by VIA FED EX to Steven King at WUTC and a PDF version sent by electronic mail. I also certify that true and complete copieshave been sent to the following interested parties via U.S. Mail:

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| --- | --- |
| Daniel L. GibsonChief Civil DeputyProsecuting AttorneyWhatcom County311 Grand Ave., Suite 201Bellingham, WA 98225 | Joseph P. RutanCounty Engineer/Interim PW DirectorWhatcom County Public Works Dept.322 N. Commercial St., Suite 210Bellingham, WA 98225  |
| Julian BeattieAssistant Attorney General1400 S. Evergreen Park Drive SWP.O. Box 40128Olympia, WA 98504-0128 |  |
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|  |  |

I declare under penalty under the laws of the State of Washington that the foregoing information is true and correct.

DATED this \_\_ day of November, 2015, at Seattle, Washington.

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Pamela Ruggles, Paralegal