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UTILITY AND TRANSPORTATION

BEFORE THE WASHINGTON STATE
UTILITIES AND TRANSPORTATION COMMISSION

CITY OF KENNEWICK,

Petitioner,

v.

UNION PACIFIC RAILROAD,

Respondent.

DOCKET NO. TR-040664

SUPPLEMENTAL PREPARED
TESTIMONY OF JAMES T.
LABBERTON

CITY OF KENNEWICK,

Petitioner,

v.

PORT OF BENTON and TRI-CITY &
OLYMPIA RAILROAD,

Respondent.

DOCKET NO. TR-050967

SUPPLEMENTAL PREPARED
TESTIMONY OF JAMES T.
LABBERTON

INTRODUCTION

Pursuant to the request of Administrative Law Judge Patricia Clark and other parties to this matter during the Pre-Hearing Conference on October 16, 2006, following is the supplemental prepared testimony of BNSF Railway Company's (BNSF) witness James T. Labberton.

1 The procedure for BNSF picking up and setting out cars involves the following: BNSF
2 interchanges with TCRY at Richland Junction by pulling its train westbound from Kennewick
3 off of the UP main line and onto the Port's main track. The BNSF crew will pull the entire
4 train west until it clears the west end of the Port Pass track switch. After clearing said switch,
5 the crew will line the switch and back the entire train into the Port Pass. After the train clears
6 the west Pass switch they will cut their engines away from the cars and pull west past the
7 switch. The BNSF crew will then move east and clear past the east Port Pass switch.
8 Subsequently, the crew will line the switch into the pass and couple to the cars delivered by
9 the TCRY. After performing a visual inspection and air test of the cars picked up they will
10 pull out and move east back to Kennewick.

11 **7. Please describe the effect that BNSF's railroad operations will have on the**
12 **proposed crossing and the effect that said crossing will have on BNSF's railroad**
13 **operations.**

14 BNSF and the UPRR interchange with Tri-City & Olympia Railroad at the Richland
15 Junction. BNSF performs switching operations in the location of the proposed crossing
16 approximately one time per day, five days per week. Each switching maneuver could require
17 several switching moves, which could block the proposed crossing for up to 30 minutes.
18 Most of said movements would be made as shove moves that would be protected by one
19 employee positioned at the rear at the cut of railcars. Extensive crossing blockage increases
20 the risk of reckless behavior by pedestrians waiting to cross the tracks, such as individuals
21 attempting to get through the blockage by climbing between the train's cars.

22 **8. How many times would BNSF have to cross Center Parkway to conduct this**
23 **interchange?**

24 BNSF would cross Center Parkway four times, as described above. Based on this
25 number of switch moves, BNSF would block the proposed crossing for up to 30 minutes per
26 switching operation while putting the train together and performing air brake tests and visual
27 inspections while cars are sitting on top of the proposed crossing. The federally-mandated air

1 brake test requires walking both sides of the train to make sure that the brakes set and release
2 properly.

3 9. *How many times are cars delivered to and received from TCRY?*

4 Attached as Exhibits A and B are listings form the last 13 months of the number of
5 cars delivered to and received from TCRY.

6 DECLARATION

7 I, James T. Labberton, declare under penalty of perjury under the laws of the State of
8 Washington that the foregoing SUPPLEMENTAL PREPARED TESTIMONY OF JAMES T.
9 LABBERTON is true and correct to the best of my knowledge and belief.

10 DATED this 17th day of October, 2006.

11 
12 _____
13 JAMES T. LABBERTON

EXHIBIT A

06/10/17

INTERCHANGE RECEIVED VOLUME TOTALS
AT SPECIFIC INTERCHANGE POINTS FOR LAST 13 MONTHS

Page 1

STATION		DATE	RR-REC.	FGN RR	CAR COUNT
-----		-----	-----	-----	-----
RICJCT	WA	2005-08-18	RR	TCRY	4
RICJCT	WA	2005-08-19	RR	TCRY	2
RICJCT	WA	2005-08-23	RR	TCRY	5
RICJCT	WA	2005-08-24	RR	TCRY	6
RICJCT	WA	2005-08-25	RR	TCRY	8
RICJCT	WA	2005-08-26	RR	TCRY	4
RICJCT	WA	2005-08-31	RR	TCRY	1
RICJCT	WA	2005-09-01	RR	TCRY	2
RICJCT	WA	2005-09-13	RR	TCRY	9
RICJCT	WA	2005-09-16	RR	TCRY	3
RICJCT	WA	2005-09-19	RR	TCRY	2
RICJCT	WA	2005-09-21	RR	TCRY	2
RICJCT	WA	2005-09-22	RR	TCRY	1
RICJCT	WA	2005-09-26	RR	TCRY	3
RICJCT	WA	2005-09-27	RR	TCRY	4
RICJCT	WA	2005-09-29	RR	TCRY	1
RICJCT	WA	2005-10-04	RR	TCRY	1
RICJCT	WA	2005-10-07	RR	TCRY	2
RICJCT	WA	2005-10-10	RR	TCRY	1
RICJCT	WA	2005-10-12	RR	TCRY	3
RICJCT	WA	2005-10-14	RR	TCRY	2
RICJCT	WA	2005-10-24	RR	CN	2
RICJCT	WA	2005-10-24	RR	TCRY	2
RICJCT	WA	2005-10-28	RR	TCRY	2
RICJCT	WA	2005-10-31	RR	CN	1
RICJCT	WA	2005-10-31	RR	TCRY	2
RICJCT	WA	2005-11-15	RR	CN	1
RICJCT	WA	2005-11-16	RR	TCRY	3
RICJCT	WA	2005-11-22	RR	TCRY	1
RICJCT	WA	2005-11-28	RR	TCRY	1
RICJCT	WA	2005-11-30	RR	TCRY	1
RICJCT	WA	2005-12-01	RR	TCRY	1
RICJCT	WA	2005-12-06	RR	TCRY	1
RICJCT	WA	2005-12-16	RR	TCRY	1
RICJCT	WA	2006-01-09	RR	TCRY	1
RICJCT	WA	2006-01-24	RR	TCRY	1
RICJCT	WA	2006-02-06	RR	TCRY	3
RICJCT	WA	2006-02-26	RR	TCRY	1
RICJCT	WA	2006-03-30	RR	TCRY	2
RICJCT	WA	2006-03-31	RR	TCRY	2
RICJCT	WA	2006-04-06	RR	TCRY	2
RICJCT	WA	2006-04-11	RR	TCRY	2
RICJCT	WA	2006-04-12	RR	TCRY	4
RICJCT	WA	2006-04-19	RR	TCRY	1
RICJCT	WA	2006-04-25	RR	TCRY	1
RICJCT	WA	2006-04-26	RR	TCRY	1
RICJCT	WA	2006-04-28	RR	TCRY	1
RICJCT	WA	2006-05-02	RR	TCRY	2
RICJCT	WA	2006-05-03	RR	TCRY	2
RICJCT	WA	2006-05-04	RR	TCRY	1
RICJCT	WA	2006-05-05	RR	TCRY	1
RICJCT	WA	2006-05-08	RR	TCRY	1

INTERCHANGE RECEIVED VOLUME TOTALS
AT SPECIFIC INTERCHANGE POINTS FOR LAST 13 MONTHS

STATION		DATE	RR-REC.	FGN RR	CAR COUNT
-----		-----	-----	-----	-----
RICJCT	WA	2006-05-09	RR	TCRY	1
RICJCT	WA	2006-05-10	RR	TCRY	1
RICJCT	WA	2006-05-11	RR	TCRY	3
RICJCT	WA	2006-05-12	RR	TCRY	1
RICJCT	WA	2006-05-14	RR	TCRY	2
RICJCT	WA	2006-05-16	RR	TCRY	1
RICJCT	WA	2006-05-17	RR	TCRY	3
RICJCT	WA	2006-05-18	RR	TCRY	1
RICJCT	WA	2006-05-23	RR	TCRY	1
RICJCT	WA	2006-05-25	RR	TCRY	2
RICJCT	WA	2006-05-26	RR	TCRY	1
RICJCT	WA	2006-05-30	RR	TCRY	1
RICJCT	WA	2006-05-31	RR	TCRY	1
RICJCT	WA	2006-06-02	RR	TCRY	1
RICJCT	WA	2006-06-07	RR	TCRY	2
RICJCT	WA	2006-06-09	RR	TCRY	1
RICJCT	WA	2006-06-13	RR	TCRY	1
RICJCT	WA	2006-06-14	RR	TCRY	1
RICJCT	WA	2006-06-20	RR	TCRY	2
RICJCT	WA	2006-06-22	RR	TCRY	1
RICJCT	WA	2006-06-23	RR	TCRY	1
RICJCT	WA	2006-06-27	RR	TCRY	2
RICJCT	WA	2006-06-29	RR	TCRY	4
RICJCT	WA	2006-06-30	RR	TCRY	1
RICJCT	WA	2006-07-04	RR	TCRY	1
RICJCT	WA	2006-07-07	RR	TCRY	1
RICJCT	WA	2006-07-11	RR	TCRY	2
RICJCT	WA	2006-07-13	RR	TCRY	6
RICJCT	WA	2006-07-14	RR	TCRY	1
RICJCT	WA	2006-07-21	RR	TCRY	1
RICJCT	WA	2006-07-24	RR	TCRY	1
RICJCT	WA	2006-07-25	RR	TCRY	1
RICJCT	WA	2006-07-28	RR	TCRY	1
RICJCT	WA	2006-07-31	RR	TCRY	1
RICJCT	WA	2006-08-02	RR	TCRY	1
RICJCT	WA	2006-08-03	RR	TCRY	1
RICJCT	WA	2006-08-06	RR	TCRY	2
RICJCT	WA	2006-08-07	RR	TCRY	1
RICJCT	WA	2006-08-08	RR	TCRY	1
RICJCT	WA	2006-08-10	RR	TCRY	2
RICJCT	WA	2006-08-11	RR	TCRY	1
RICJCT	WA	2006-08-15	RR	TCRY	1
RICJCT	WA	2006-08-16	RR	TCRY	4
RICJCT	WA	2006-08-18	RR	TCRY	1
RICJCT	WA	2006-08-21	RR	TCRY	2
RICJCT	WA	2006-08-22	RR	TCRY	2
RICJCT	WA	2006-08-23	RR	TCRY	2
RICJCT	WA	2006-08-24	RR	TCRY	2
RICJCT	WA	2006-08-25	RR	TCRY	1
RICJCT	WA	2006-08-29	RR	TCRY	1
RICJCT	WA	2006-08-30	RR	TCRY	2
RICJCT	WA	2006-08-31	RR	TCRY	3

INTERCHANGE RECEIVED VOLUME TOTALS
AT SPECIFIC INTERCHANGE POINTS FOR LAST 13 MONTHS

STATION		DATE	RR-REC.	FGN RR	CAR COUNT
-----		-----	-----	-----	-----
RICJCT	WA	2006-09-01	RR	TCRY	2
RICJCT	WA	2006-09-06	RR	TCRY	1
RICJCT	WA	2006-09-07	RR	TCRY	1
RICJCT	WA	2006-09-09	RR	TCRY	2
RICJCT	WA	2006-09-12	RR	TCRY	1
RICJCT	WA	2006-09-13	RR	TCRY	1
RICJCT	WA	2006-09-14	RR	TCRY	3
RICJCT	WA	2006-09-16	RR	TCRY	2
RICJCT	WA	2006-09-18	RR	TCRY	2
RICJCT	WA	2006-09-20	RR	TCRY	3
RICJCT	WA	2006-09-21	RR	TCRY	2
RICJCT	WA	2006-09-23	RR	TCRY	2
RICJCT	WA	2006-09-25	RR	TCRY	2
RICJCT	WA	2006-09-27	RR	TCRY	2
RICJCT	WA	2006-09-28	RR	TCRY	3
RICJCT	WA	2006-09-30	RR	TCRY	2
RICJCT	WA	2006-10-02	RR	TCRY	2
RICJCT	WA	2006-10-04	RR	TCRY	1
RICJCT	WA	2006-10-05	RR	TCRY	4
RICJCT	WA	2006-10-06	RR	TCRY	3
RICJCT	WA	2006-10-09	RR	TCRY	1
RICJCT	WA	2006-10-10	RR	TCRY	1
RICJCT	WA	2006-10-11	RR	TCRY	1
RICJCT	WA	2006-10-12	RR	TCRY	1

EXHIBIT B

06/10/17

INTERCHANGE DELIVERED VOLUME TOTALS
AT SPECIFIC INTERCHANGE POINTS FOR THE LAST 13 MONTHS

Page 1

STATION		DATE	DD-DELV.	FGN RR	CAR COUNT
RICJCT	WA	2005-08-18	DD	TCRY	1
RICJCT	WA	2005-08-22	DD	TCRY	3
RICJCT	WA	2005-08-23	DD	TCRY	5
RICJCT	WA	2005-08-29	DD	TCRY	1
RICJCT	WA	2005-08-30	DD	TCRY	3
RICJCT	WA	2005-09-01	DD	TCRY	1
RICJCT	WA	2005-09-06	DD	TCRY	3
RICJCT	WA	2005-09-08	DD	TCRY	3
RICJCT	WA	2005-09-11	DD	TCRY	2
RICJCT	WA	2005-09-12	DD	TCRY	1
RICJCT	WA	2005-09-14	DD	TCRY	2
RICJCT	WA	2005-09-19	DD	TCRY	4
RICJCT	WA	2005-09-21	DD	TCRY	6
RICJCT	WA	2005-09-22	DD	TCRY	2
RICJCT	WA	2005-09-24	DD	TCRY	1
RICJCT	WA	2005-09-26	DD	TCRY	1
RICJCT	WA	2005-09-29	DD	TCRY	1
RICJCT	WA	2005-10-04	DD	TCRY	5
RICJCT	WA	2005-10-09	DD	TCRY	6
RICJCT	WA	2005-10-11	DD	TCRY	1
RICJCT	WA	2005-10-12	DD	TCRY	2
RICJCT	WA	2005-10-13	DD	TCRY	2
RICJCT	WA	2005-10-18	DD	TCRY	2
RICJCT	WA	2005-10-24	DD	TCRY	1
RICJCT	WA	2005-10-26	DD	TCRY	3
RICJCT	WA	2005-11-06	DD	TCRY	4
RICJCT	WA	2005-11-10	DD	TCRY	1
RICJCT	WA	2005-11-15	DD	TCRY	2
RICJCT	WA	2005-11-17	DD	TCRY	1
RICJCT	WA	2005-11-22	DD	TCRY	1
RICJCT	WA	2005-12-07	DD	TCRY	4
RICJCT	WA	2005-12-13	DD	TCRY	2
RICJCT	WA	2006-01-08	DD	TCRY	2
RICJCT	WA	2006-01-15	DD	TCRY	1
RICJCT	WA	2006-01-18	DD	TCRY	1
RICJCT	WA	2006-02-07	DD	TCRY	1
RICJCT	WA	2006-02-26	DD	TCRY	1
RICJCT	WA	2006-02-28	DD	TCRY	1
RICJCT	WA	2006-03-27	DD	TCRY	6
RICJCT	WA	2006-04-06	DD	TCRY	4
RICJCT	WA	2006-04-14	DD	TCRY	1
RICJCT	WA	2006-04-22	DD	TCRY	2
RICJCT	WA	2006-04-26	DD	TCRY	7
RICJCT	WA	2006-05-01	DD	TCRY	2
RICJCT	WA	2006-05-03	DD	TCRY	1
RICJCT	WA	2006-05-07	DD	TCRY	2
RICJCT	WA	2006-05-08	DD	TCRY	2
RICJCT	WA	2006-05-11	DD	TCRY	3
RICJCT	WA	2006-05-16	DD	TCRY	1
RICJCT	WA	2006-05-22	DD	TCRY	3
RICJCT	WA	2006-05-24	DD	TCRY	1
RICJCT	WA	2006-05-28	DD	TCRY	1

INTERCHANGE DELIVERED VOLUME TOTALS
AT SPECIFIC INTERCHANGE POINTS FOR THE LAST 13 MONTHS

STATION		DATE	DD-DELV.	FGN RR	CAR COUNT
-----		-----	-----	-----	-----
RICJCT	WA	2006-05-30	DD	TCRY	1
RICJCT	WA	2006-06-01	DD	TCRY	1
RICJCT	WA	2006-06-05	DD	TCRY	3
RICJCT	WA	2006-06-20	DD	TCRY	3
RICJCT	WA	2006-06-22	DD	TCRY	2
RICJCT	WA	2006-06-25	DD	TCRY	1
RICJCT	WA	2006-06-26	DD	TCRY	1
RICJCT	WA	2006-06-28	DD	TCRY	3
RICJCT	WA	2006-07-03	DD	TCRY	1
RICJCT	WA	2006-07-05	DD	TCRY	1
RICJCT	WA	2006-07-09	DD	TCRY	1
RICJCT	WA	2006-07-10	DD	TCRY	4
RICJCT	WA	2006-07-11	DD	TCRY	3
RICJCT	WA	2006-07-12	DD	TCRY	16
RICJCT	WA	2006-07-17	DD	TCRY	4
RICJCT	WA	2006-07-20	DD	TCRY	3
RICJCT	WA	2006-07-23	DD	TCRY	2
RICJCT	WA	2006-07-25	DD	TCRY	4
RICJCT	WA	2006-07-31	DD	TCRY	1
RICJCT	WA	2006-08-03	DD	TCRY	1
RICJCT	WA	2006-08-06	DD	TCRY	2
RICJCT	WA	2006-08-13	DD	TCRY	1
RICJCT	WA	2006-08-17	DD	TCRY	3
RICJCT	WA	2006-08-20	DD	TCRY	1
RICJCT	WA	2006-08-21	DD	TCRY	1
RICJCT	WA	2006-08-23	DD	TCRY	1
RICJCT	WA	2006-08-30	DD	TCRY	2
RICJCT	WA	2006-09-03	DD	TCRY	2
RICJCT	WA	2006-09-06	DD	TCRY	3
RICJCT	WA	2006-09-10	DD	TCRY	2
RICJCT	WA	2006-09-14	DD	TCRY	2
RICJCT	WA	2006-09-18	DD	TCRY	4
RICJCT	WA	2006-09-21	DD	TCRY	2
RICJCT	WA	2006-09-25	DD	TCRY	4
RICJCT	WA	2006-10-02	DD	TCRY	9
RICJCT	WA	2006-10-03	DD	TCRY	1
RICJCT	WA	2006-10-04	DD	TCRY	2
RICJCT	WA	2006-10-05	DD	TCRY	1
RICJCT	WA	2006-10-10	DD	TCRY	1
RICJCT	WA	2006-10-12	DD	TCRY	5
RICJCT	WA	2006-10-15	DD	TCRY	6