

[Service Date September 14, 2010]

**BEFORE THE WASHINGTON STATE
UTILITIES AND TRANSPORTATION COMMISSION**

BNSF RAILWAY COMPANY,)	DOCKET TR-090121
)	
Petitioner,)	
)	
v.)	NOTICE OF COMPLIANCE
)	
SNOHOMISH COUNTY,)	
)	
Respondent.)	
)	
.....)	

1 I, Richard Wagner, under penalty of perjury under the laws of the State of Washington, hereby declare as follows:

2 I am over 18 years of age, and am competent to testify. I swear this declaration on personal knowledge.

3 I am BNSF's Project Manager for the Stanwood siding/ Logen Road closure project.

4 BNSF Railway has fulfilled the conditions required prior to closing the Logen Road railroad crossing as set forth in the Final Order in this matter. See attached photographs (Exhibit A) showing the 271st Street crossing improvements.

5 I swear that the foregoing is true and correct to the best of my knowledge.

DATED this 14th day of September, 2010, at SEATTLE Washington.


 Richard Wagner
 BNSF Project Manager, Seattle

CERTIFICATE OF SERVICE

I am over the age of 18; and not a party to this action. I am the paralegal to an attorney with Montgomery Scarp MacDougall, PLLC, whose address is 1218 Third Avenue, Suite 2700, Seattle, Washington, 98101.

I hereby certify that the original and 12 copies of *PETITIONER BNSF'S Notice of Compliance and Exhibit A* have been sent via FedEx to David W. Danner at WUTC and Word Perfect and PDF versions sent by electronic mail to records@wutc.wa.gov. I also certify that true and complete copies have been sent via Electronic mail and U.S. Mail to the following interested parties:

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Bellevue, WA 98006-2413

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

DATED this 14th day of September 2010, at Seattle, Washington.



Lisa Miller, Paralegal