

BEFORE THE WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

BNSF RAILWAY COMPANY,)	DOCKET TR140382 and
)	DOCKET TR140383
Petitioner,)	
vs.)	
)	RESPONDENT YAKIMA COUNTY'S
YAKIMA COUNTY,)	MOTION TO SUPPLEMENT CROSS-
)	EXAMINATION EXHIBIT
Respondent.)	
_____)	

TO: Steven King, Executive Director and Secretary
WUTC, P.O. Box 47250, Olympia, WA 98504-7250

TO: Parties of Record:

I. RELIEF REQUESTED

1. Pursuant to WAC 480-07-375(1)(d), respondent Yakima County respectfully requests that the Washington Utilities and Transportation Commission ("Commission") allow the submission of two additional cross-exhibits to the pre-filed testimony of petitioner's witness Gary Norris.

RESPONDENT YAKIMA
COUNTY'S MOTION TO
SUPPLEMENT CROSS-EXAMINATION
EXHIBIT AS TO GARY NORRIS - 1

MENKE JACKSON BEYER, LLP
807 North 39th Avenue
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II. BACKGROUND INFORMATION

2. Per the Commission's Order 02, the County timely submitted its cross-exhibits on or before April 13, 2015. The County wishes to supplement its cross-exhibits with the attached exhibit.

3. The first additional cross-exhibit is a publically available report prepared by the Federal Railroad Administration: the 2014 Accident Prediction Report for Public at-Grade Highway Rail-Crossings in Yakima County. The report available on the Internet. It is probable that Mr. Norris has reviewed this report in developing expert opinion in this matter. The pre-filed testimony of Mr. Norris discusses the probability of a train-vehicle collision at the two grade-crossings at issue in this matter.

3. The second additional cross-exhibit are traffic counts for SR-22. These records were provided to petitioner on March 27, 2015, in response to BNSF's second set of data requests to Yakima County.

DATED THIS 24th day of April, 2015.

MENKE JACKSON BEYER, LLP



QUINN N. PLANT

WSBA #31339

Attorneys for Respondent Yakima County

RESPONDENT YAKIMA
COUNTY'S MOTION TO
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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 Menke Jackson Beyer, LLP, whose address is 807 North 39th Avenue, Yakima, Washington, 98902.

I hereby certify that the original and three copies of the foregoing have been sent by U.S. Mail, First Class, to Mr. Steven King, Executive Director and Secretary, Washington State Utilities and Transportation Commission, 1300 South Evergreen Park Drive, S.W., Olympia, Washington, 98504; and a .pdf version electronically filed (www.utc.wa.gov/efiling) and emailed (records@utc.wa.gov). I also certify that true and complete copies have been sent via electronic mail to the following interested parties:

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RESPONDENT YAKIMA
COUNTY'S MOTION TO
SUPPLEMENT CROSS-EXAMINATION
EXHIBIT AS TO GARY NORRIS - 3

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Rayne Pearson
Administrative Law Judge
Washington Utilities and Transportation Commission
1300 South Evergreen Park Drive SW
Olympia, WA 98504

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

DATED THIS 24TH day of April, 2015.



KATHY S. LYCZEWSKI

RESPONDENT YAKIMA
COUNTY'S MOTION TO
SUPPLEMENT CROSS-EXAMINATION
EXHIBIT AS TO GARY NORRIS - 4

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