

# Montgomery Scarp MacDougall, PLLC

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October 1, 2009  
VIA FED-EX

Dave Danner, Secretary  
Washington Utilities and Transportation Commission  
1300 S. Evergreen Park Drive S.W.  
P.O. Box 47250  
Olympia, WA 98504-7250

RE: *Docket No. To be assigned: BNSF Petition for Exemption*

Dear Mr. Danner:

Enclosed please find the original and twelve copies of *Petition for Exemption From Close Clearance Rules in WAC 480-60-050 and Request for Immediate Action Pursuant to WAC 480-60-020*. The document has also been sent in electronic form to <records @wutc.wa.gov>.

Please do not hesitate to call should you have any questions or comments.

Very truly yours,

Montgomery Scarp MacDougall, PLLC



Lisa Miller  
Paralegal

enclosures