



Bob Ferguson

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March 22, 2013

Steven V. King, Acting Executive Director and Secretary
Washington Utilities and Transportation Commission
1300 S. Evergreen Park Dr. SW
P. O. Box 47250
Olympia, Washington 98504-7250

RE: *In the Matter of the Penalty Assessment against BNSF Railway Co.*
Docket TR-121921

Dear Mr. King:

Enclosed for filing in the above-referenced docket are the original and one copy of Staff's Reply to BNSF Railway Co.'s Response to Penalty Assessment and Request for Hearing and Pre-hearing Settlement Conference, and Certificate of Service.

Sincerely,

STEVEN W. SMITH
Assistant Attorney General

SWS/emd

Enclosures

cc: Montgomery Scarp, PLLC w/enc.

Docket TR-121921
CERTIFICATE OF SERVICE

I hereby certify that I have this day served the attached Reply to BNSF's Response to Penalty Assessment upon the persons and entities listed on the Service List below via e-mail and by depositing a copy of said document in the United States mail, addressed as shown on said Service List, with first class postage prepaid.

DATED at Olympia, Washington this 22nd day of March, 2013.



ELIZABETH M. DeMARCO

For BNSF Railway Co.:

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