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BEFORE THE WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

WASHINGTON UTILITIES AND
TRANSPORTATION COMMISSION,

Complainant,

v.

BNSF RAILWAY COMPANY,

Respondent.

DOCKET TR-171021

BNSF RAILWAY COMPANY'S
RESPONSE TO BENCH
REQUEST NO. 1

BENCH REQUEST NO. 1 directed to BNSF Railway Company ("BNSF") in the above-referenced docket, TR-171021, states: What remedial measure(s) has BNSF taken to prevent this delay from happening in the future?

BNSF RESPONSE: This incident involved the timing of BNSF's reporting to the EOC in connection with the release of approximately one gallon of gasoline at one of BNSF's facilities on September 1, 2017. It is important to note that BNSF's response to this incident was initiated immediately, and the hazardous material response and mitigation were handled in a safe and timely manner. A miscommunication between two BNSF managers, however, resulted in one manager thinking the other one made a timely notification. BNSF reported the incident to the EOC on the same day it occurred, including the approximate time of discovery, on discovering the miscommunication. For remedial measures, BNSF has reviewed its internal communication process and Washington State reporting protocols with its managers to address this incident.

1 DATED this 15th day of May, 2018.

2 FOSTER PEPPER PLLC

3 

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15 Missoula, MT 59802
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1 **CERTIFICATE OF SERVICE**

2 I hereby certify that I have this day caused to be served the foregoing document upon the
3 persons and entities listed on the Service List below in the manner indicated:

4 **For Washington Utilities and
5 Transportation Commission via Email and
6 U.S. Mail to:**


7 Sally Brown
8 Senior Assistant Attorney General
9 Office of the Attorney General
10 Utilities and Transportation Division
11 P.O. Box 40128
12 Olympia, WA 98504-0128
13 Phone: 360-664-1193
14 Email: sally.brown@utc.wa.gov

Copy via Email as requested to:

Hon. Marguerite Friedlander
Administrative Law Judge
Email: marguerite.friedlander@utc.wa.gov

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

13 DATED May 15, 2018 at Seattle, Washington.

14 

15 _____
16 Michelle Stark, Legal Assistant