

CERTIFICATE OF SERVICE

DOCKET NO. TR-090121

I hereby certify that I have this day served the foregoing to the following parties via regular mail:

<p><u>Commission Staff:</u> Jonathan Thompson Assistant Attorney General 1400 S. Evergreen Park Dr. S.W. P.O. Box 40128 Olympia, WA 98504-0128 Phone: (360) 664-1225 Email: jthomps@utc.wa.gov</p>	<p><u>Attorneys for BNSF Railway Company:</u> Bradley P. Scarp Montgomery Scarp MacDougall, PLLC Seattle Tower, 27th Floor 1218 Third Avenue Seattle, WA 98101 Phone : (206) 625-1801 Email : Brad@montgomeryscarp.com</p>
<p><u>Attorneys for Snohomish County:</u> Justin Kasting Deputy Prosecuting Attorney 3000 Rockefeller Avenue M/S 504 Everett, WA 98201 Phone: (425) 388-6335 Email: Justin.kasting@snoco.org</p>	

Dated at Bellevue, Washington, this 3th day of February, 2009.


Lynn F. Logen

February 3, 2009

Mr. David Danner, Secretary and Executive Director
Washington Utilities and Transportation Commission
P.O. Box 47250
Olympia, Washington 98504-7250

Re: Petition of Lynn F. Logen to Intervene
Docket No. TR-090121

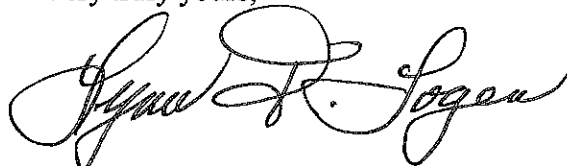
Dear Mr. Danner:

Pursuant to WAC 480-07-355 and WAC 480-07-145(3)(a), enclosed are twelve copies of my Petition to Intervene in Docket No. U-090121.

Due to the short period of time between notice of the prehearing conference and the date of the prehearing conference I respectfully ask that I be allowed to intervene via the Commission's conference bridge or via other conference call facilities where I can call-in rather than appear in person.

Please contact me at (425) 641-1692 for additional information about this Petition or any other questions.

Very truly yours,

A handwritten signature in black ink, appearing to read "Lynn F. Logen". The signature is written in a cursive style with large, flowing letters.

Lynn F. Logen

Enclosures

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

2

3 BNSF RAILWAY COMPANY

4

Petitioner,

5

v.

6

7

8 SNOHOMISH COUNTY

9

Respondent.

Docket No. TR-090121

PETITION FOR INTERVENTION
OF LYNN F. LOGEN

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11

12 Pursuant to WAC 480-07-355, Lynn F. Logen hereby petitions the Washington Utilities
13 and Transportation Commission ("Commission") for leave to intervene in the above entitled
14 docket. As grounds for this intervention, I state as following:

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I. CONTACT INFORMATION

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18 All communications with Lynn F. Logen should be directed as follows:

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Name: Lynn F. Logen

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Mailing Address: 15017 S.E. 43rd Place
Bellevue, WA 98006-2413

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Location Address: 15017 S.E. 43rd Place
Bellevue, WA 98006-2413

23

Voice: (425) 641-1692

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Fax: None

E-mail: jynnludy@aol.com

1 II. BACKGROUND INFORMATION

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3 The Logen family has resided on Logen road for over 100 years and the land owned
4 by the family has been farmed by the family or otherwise used in agricultural pursuits since
5 first occupied by the Logen family. The Logen family resided on this land prior to the
6 construction of the railroad line adjacent to the farm and I believe that Logen road existed
7 prior to the construction of the railroad.

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9 III. INTEREST IN PROCEEDING

10 The Logen family owns and farms property on both sides of the BNSF rail line and those
11 properties are most easily accessed by the crossing that is the subject of this proceeding.
12 The alternate access routes, through the town of Stanwood, or via Pioneer Highway and the
13 Old Pacific Highway or via these two highways and 300th will pose more of a danger to the
14 public and the Logens when moving slow moving farm equipment on these busy high speed
15 roads than allowing that equipment to cross the BNSF rail lines at Logen Road.

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17 IV. SCOPE OF PARTICIPATION

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19 The preference of the Logen family would be to have the crossing remain open, but I
20 understand that the Logen Road grade crossing will most likely be considered a dangerous
21 crossing following the installation of the proposed siding. If it is found to be a dangerous
22 crossing, the Logen family desires that the Logen Road grade crossing be converted to a
23 private crossing for use by the Logen family and emergency vehicles once the proposed siding
22 is actually constructed.

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V. RELIEF REQUESTED

2 I, Lynn F. Logen respectfully requests leave to intervene as a party to this proceeding, to file
3 a petition in intervention; with right to discovery; to have notice of and appear at the taking of
4 testimony; to produce and cross-examine witnesses; and to be heard in person or by counsel
5 on brief and at oral argument.

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RESPECTFULLY SUBMITTED this 3rd day of February 2009.

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Lynn F. Logen

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