



Rob McKenna

ATTORNEY GENERAL OF WASHINGTON

Utilities and Transportation Division

1400 S Evergreen Park Drive SW • PO Box 40128 • Olympia WA 98504-0128 • (360) 664-1183

December 19, 2007


Carole J. Washburn, Secretary
Washington Utilities and Transportation Commission
1300 S. Evergreen Park Dr. SW
P. O. Box 47250
Olympia, Washington 98504-7250

Re: *BNSF Railway Company v. City of Mount Vernon*
Docket No. TR-070696

Dear Ms. Washburn:

Enclosed for filing in the above-referenced docket are the original and 1 copy of Commission Staff's Cross-Examination Estimates, Cross-Examination Exhibits, and Certificate of Service.

Sincerely,



JONATHAN C. THOMPSON
Assistant Attorney General

JCT:klg
Enclosures
cc: Parties



BEFORE THE WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

BNSF RAILWAY COMPANY,

Petitioner,

v.

CITY OF MOUNT VERNON,

Respondent.

DOCKET NO. TR-070696

COMMISSION STAFF'S CROSS-
EXAMINATION ESTIMATES
AND CROSS-EXAMINATION
EXHIBIT LIST

Pursuant to the Commission's November 9, 2007, Notice of Hearing Schedule, Commission Staff submits the following estimates of time Staff will require for cross-examination of witnesses, and its list of cross-examination exhibits, copies of which Staff is distributing today. Staff is also sponsoring the pre-filed testimony and exhibits of Paul Curl, Thomas Zeinz, P.E., and Robert Johnston.

I. CROSS-EXAMINATION TIME ESTIMATES

Stuart Gordon—10 mins.
Megan McIntyre—30 mins.
Foster Peterson—1 hr. 15 mins.
Danniel MacDonald—15 mins.
Jeffrey Schultz—15 mins.
Gary Norris— 1 hr. 15 mins.

II. CROSS EXAMINATION EXHIBITS

McIntyre:

1. City of Mount Vernon Response to Staff Data Request No. 2

Peterson:

1. City of Mount Vernon Response to Staff Data Request No. 2 (also listed above for McIntyre)
2. City of Mount Vernon Response to Staff Data Request No. 3

MacDonald

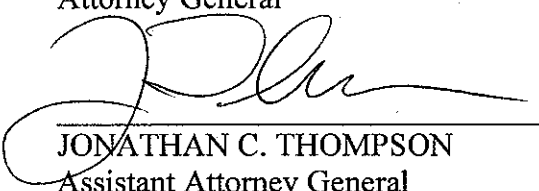
1. BNSF Response to Staff Data Request No. 2
2. BNSF Response to Staff Data Request No. 10
3. BNSF Response to Staff Data Request No. 12
4. BNSF Response to Staff Data Request No. 13
5. BNSF Response to Staff Data Request No. 14

Norris:

1. City of Mount Vernon Response to Staff Data Request No. 2 (also listed above for McIntyre and Peterson)
2. City of Mount Vernon Response to Staff Data Request No. 3 (also listed above for Peterson)
3. Miscellaneous GradeDec.Net work papers
4. U.S. DOT – Crossing Inventory Information as of 12/18/2007 for “BLACKBURN & PAC.”
5. U.S. DOT – Crossing Inventory Information as of 12/18/2007 for “STACK POLE RD”
6. U.S. DOT – Crossing Inventory Information as of 12/18/2007 for “HICKOK RD”

Respectfully submitted,

ROBERT M. MCKENNA
Attorney General

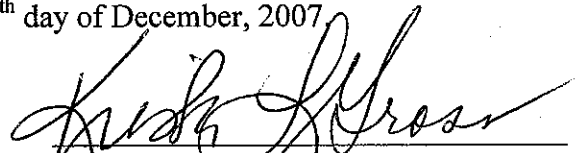


JONATHAN C. THOMPSON
Assistant Attorney General
Counsel for Washington Utilities and
Transportation Commission Staff

Docket No. TR-070696
CERTIFICATE OF SERVICE

I hereby certify that I have this day served the attached Commission Staff's Cross Examination Estimates and Cross-Examination Exhibits upon the persons and entities listed on the Service List below 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 19th day of December, 2007.



KRISTA L. GROSS

For BNSF:

Tom Montgomery
Bradley P. Scarp
Montgomery Scarp MacDougall, PLLC
Seattle Tower, 27th Floor
1218 Third Avenue
Seattle, WA 98101
Phone: (206) 625-1801
Fax: ()
E-mail: brad@montgomeryscarp.com

For Skagit County:

Stephen Fallquist
Deputy Prosecuting Attorney Skagit
County
605 S. 3rd Street
Mount Vernon, WA 98273
Phone: (360) 336-9460
Fax: ()
E-mail: stephenf@co.skagit.wa.us

For WSDOT—Freight Systems Division:

Scott Lockwood
Office of the Attorney General
Transp. & Public Construction Division
7141 Cleanwater Dr. SW
Tumwater, WA 98501-0113
P.O. Box 40113
Olympia, WA 98504-0113
Phone: (360) 753-1620
Fax: (360)
E-mail: scottl@atg.wa.gov

*For Adversely Affected Local
Landowners:*

Gary T. Jones
Jones & Smith
415 Pine Street
P.O. Box 1245
Mount Vernon, WA 98273
Phone: (360) 336-6608
Fax: (360)
E-mail:

*For Skagit County Fire Protection
District No. 3:*

Brian K. Snure
Snure Law Office, PSC
612 S. 227th St.
Des Moines, WA 98198
Phone: (206) 824-5630
Fax: (206) 824-9096
E-mail: brian@snurelaw.com

For City of Mount Vernon:

Kevin Rogerson
City Attorney
City of Mount Vernon
P.O. Box 809
910 Cleveland Avenue
Mount Vernon, WA 98273
Phone: (360) 336-6203
Fax: (360) 336-6267
E-mail: kevinr@ci.mount-vernon.wa.us