

COMMISSION STAFF CROSS-EXAMINATION EXHIBITS

McIntyre

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

BEFORE THE WASHINGTON UTILITIES AND
TRANSPORTATION COMMISSION

BNSF RAILWAY COMPANY,

Petitioner

v.

CITY OF MOUNT VERNON,

Respondent

And

SKAGIT COUNTY , WASHINGTON
STATE DEPARTMENT OF
TRANSPORTATION, WEST VALLEY
FARMS LLC, and SKAGIT COUNTY,

Intervenors

DOCKET NO. TR-070696

CITY'S RESPONSES TO UTC'S
FIRST DATA REQUESTS

UTC STAFF DATA REQUEST NO. 1:

Please provide copies of any and all data requests submitted to you by any party to this proceeding and your corresponding responses to those data requests.

Date Prepared: November 6, 2007

Response: The City has not received other data requests pertaining to Docket No. TR-070696.

UTC STAFF DATA REQUEST NO. 2:

Please provide a summary of traffic accidents at, or near, the intersection of Blackburn – South Second Street/Old Highway 99 for a three-year period ending September 30, 2007.

Nature

*Heidi Kjos Mount Vernon Police Department Records Specialist
Date Prepared: November 1, 2007*

Response: Attached is a list prepared by the MVPD providing a summary involving traffic accidents at the location provided above. Below is a list of acronyms used in the attached list and their meaning:

MVA: "Motor Vehicle Accident"

DUI: "Motor Vehicle Accident which resulted in DUI charge"

MVAU: "Motor vehicle Accident Unknown Injury"

Loctn ("Location")- Location of officers patrol area

RCMAS: City of Mount Vernon Annex South

RCMS: City of Mount Vernon South

RCMD: City of Mount Vernon Downtown

Dsd ("Disposition")

INA: "inactive"

ACT: "active"

CAA: "cleared adult arrest"

UTC STAFF DATA REQUEST NO. 3:

Please provide a summary of complaints received by the city of trains blocking the crossing at the Blackburn-South Second Street/Old Highway 99 intersection.

Heidi Kjos Mount Vernon Police Department Records Specialist

Date Prepared: November 5, 2007

Response: A search for complaints received by the Mount Vernon Police Department was unable to locate complaints regarding trains blocking the crossing.

Attached is a list of complaints identified as "traffic hazard" for the location described above. All traffic hazards identified on the list involve complaints of malfunctioning of the safety crossing arms which blocked the intersection. Please refer to answer two for the list of acronyms and definitions used.

UTC STAFF DATA REQUEST NO. 4:

Please state the width of the existing road surface and the width of city-owned right-of-way on Hickox Road.

*From Mikael Love, City of Mount Vernon Assistant Public Works Director
Date prepared: October 31, 2007*

Response:

The existing road surface width is 20-feet. The right of way on Hickox is 60-feet wide.

DATA REQUEST #2

Reported	Nature	Address	Loctn	Dsp
14:58:32	11/16/04	MVA	2699 E BLACKBURN RD & LITT	RCMAS INA
13:08:41	11/26/04	MVAU	1999 BLODGETT RD & E BLACK	RCMS INA
15:01:20	12/14/04	MVA	1801 E BLACKBURN RD; JEFFE	RCMS INA
20:32:46	02/23/05	MVA	400 W BLACKBURN RD; BLK, M	RCMD INA
09:27:58	03/08/05	MVA	1799 E BLACKBURN RD & S 18	RCMS ACT
21:19:38	03/31/05	MVA	W BLACKBURN RD; AT TRACKS	RCMD ACT
23:16:53	04/01/05	MVA	2699 E BLACKBURN RD & LITT	RCMS CAA
16:15:22	06/02/05	MVA	1999 S 6TH ST & E BLACKBUR	RCMD INA
16:55:22	06/06/05	MVA	1999 S 18TH ST & E BLACKBU	RCMS ACT
15:03:16	06/17/05	MVA	1799 E BLACKBURN RD & S 18	RCMS INA
22:06:35	10/06/05	MVA	2833 E BLACKBURN RD; MEYER	RCMS INA
11:01:38	10/12/05	MVA	E BLACKBURN RD; AT RR TRAC	RCMS ACT
16:26:19	10/12/05	MVA	100 E BLACKBURN RD & S 2ND	RCMD INA
16:38:34	10/19/05	MVA	400 W BLACKBURN RD & CLEVE	RCMD INA
07:41:06	10/26/05	MVA	200 W BLACKBURN RD, MOUNT	RCMAS INA
13:18:22	11/22/05	MVA	1801 E BLACKBURN RD; JEFFE	RCMS INA
16:43:11	11/22/05	MVA	422 E BLACKBURN RD & HENSO	RCMAS INA
16:42:05	11/23/05	MVAU	2725 E BLACKBURN RD, MOUNT	RCMS CAA
17:12:20	11/26/05	MVA	E BLACKBURN RD ; at s 6th,	RCMD ACT
11:28:39	12/03/05	DUI	E BLACKBURN RD; NEAR S 3RD	RCMS CAA
21:10:30	12/04/05	MVA	E BLACKBURN RD; / CEDARDAL	RCMS ACT
16:05:58	12/16/05	MVA	2700 E BLACKBURN RD, MOUNT	RCMS INA
17:21:11	01/04/06	MVA	499 W BLACKBURN RD & HARRI	RCMD ACT
16:39:21	01/13/06	MVA	1999 S 13TH ST & E BLACKBU	RCMS INA
02:23:02	01/14/06	MVA	2000 LITTLE MOUNTAIN RD &	RCMS ACT
15:51:36	01/18/06	MVA	1999 S 2ND ST & W BLACKBUR	RCMD INA
16:32:02	02/23/06	MVA	1999 S DOUGLAS ST & W BLAC	RCMD INA
13:30:53	03/11/06	MVA	1999 S 6TH ST & E BLACKBUR	RCMD CAA
15:07:37	03/15/06	MVA	1299 E BLACKBURN RD & S 13	RCMS INA
09:48:07	04/11/06	MVA	1999 CLEVELAND AVE & W BLA	RCMD ACT
16:14:36	05/01/06	MVA	E BLACKBURN RD, MOUNT VERN	RCMS INA
10:32:05	05/07/06	MVA	1299 E BLACKBURN RD & S 13	RCMS INA
14:40:36	05/11/06	MVA	2000 CLEVELAND AVE & W BLA	RCMD INA
08:53:18	06/05/06	MVA	2000 OLD HWY 99 S RD & E B	RCMD INA
16:59:37	06/14/06	MVA	1800 E BLACKBURN RD; PRIVA	RCMS INA
21:44:18	08/04/06	MVA	300 E BLACKBURN RD & S 6TH	RCMD INA
16:03:40	08/15/06	MVA	2699 E BLACKBURN RD & LITT	RCMS CAA
16:29:00	08/25/06	MVA	900 E BLACKBURN RD & BLODG	RCMS INA
03:53:35	09/15/06	MVA	900 E BLACKBURN RD & BLODG	RCMS ACT
08:44:42	10/18/06	MVA	E BLACKBURN RD; AT THE RR	RCMS ACT
22:31:25	10/26/06	MVA	1799 E BLACKBURN RD & S 18	RCMS CAA
17:25:03	11/11/06	MVA	E BLACKBURN RD; AT 2ND ST,	RCMS ACT
22:05:41	11/28/06	MVA	W BLACKBURN RD; UNK ST OFF	RCMD ACT
15:02:33	11/30/06	MVA	1801 E BLACKBURN RD; JEFFE	RCMS ACT
09:17:19	01/22/07	MVA	100 W BLACKBURN RD & S 2ND	RCMD INA
22:34:11	01/25/07	MVA	820 W BLACKBURN RD; MV CHR	RCMD INA
06:47:51	01/27/07	MVA	2000 LITTLE MOUNTAIN RD &	RCMS INA
07:55:23	01/30/07	MVA	422 E BLACKBURN RD & HENSO	RCMAS INA
08:35:59	02/23/07	MVAU	2725 E BLACKBURN RD, MOUNT	RCMS ACT
08:41:03	02/23/07	MVA	2500 E BLACKBURN RD, MOUNT	RCMAS INA
16:39:38	03/02/07	MVA	1801 E BLACKBURN RD; JEFFE	RCMS ACT
11:39:23	04/04/07	MVA	2699 E BLACKBURN RD & LITT	RCMS INA
17:19:34	04/25/07	MVA	2918 E BLACKBURN RD, MOUNT	RCMS ACT
13:44:38	05/09/07	MVA	1999 S 3RD ST & W BLACKBUR	RCMD ACT

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1/01/07
1:22

MOUNT VERNON POLICE DEPARTMENT
Law Incident Addr. History Report, by Date Reported

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Reported	Nature	Address	Loctn	Dsp
16:42:13 06/01/07	MVA	100 E BLACKBURN RD & S 2ND	RCMD	INA
11:43:34 06/26/07	MVA	399 W BLACKBURN RD & CLEVE	RCMD	INA
15:38:32 07/10/07	MVA	1999 S 2ND ST & E BLACKBUR	RCMD	INA
09:53:26 08/04/07	MVA	100 E BLACKBURN RD & S 2ND	RCMD	INA
15:43:31 08/13/07	MVA	298 E BLACKBURN RD & S 6TH	RCMD	ACT
19:31:46 08/23/07	MVA	1800 E BLACKBURN RD; BLK,	RCMS	INA
12:40:36 09/01/07	MVA	1999 S 16TH ST & E BLACKBU	RCMS	INA
18:41:11 09/21/07	MVA	1016 E BLACKBURN RD, MOUNT	RCMS	INA

Total Incidents for This Report: 62

Report Includes:

- l1 dates between `00:00:01 09/30/04` and `23:59:00 09/30/07`
- l1 location codes
- l1 cities
- l1 addresses matching `*BLACKBURN*`
- l1 agencies matching `MVPD`
- l1 offenses observed
- l1 offenses reported
- l1 offense codes matching `TA*`
- l1 nature of incidents
- l1 circumstance codes

*** End of Report /var/tmp/rptAAAa08671-rplwiah.r1 ***

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pliance with RCW 10.97.050

Reported	Nature	Address	Loctn	Dsp
23:49:02	08/06/05	MVA	3228 OLD HWY 99 S RD; TRUC	RCMAS CAA
19:49:53	10/22/05	MVA	3216 OLD HWY 99 S RD; CRANE	RCMAS ACT
12:44:57	11/05/05	MVA	3216 OLD HWY 99 S RD, MOUN	RCMAS ACT
14:30:28	11/22/05	MVAU	4220 OLD HWY 99 S RD; IFO,	RCMAS INA
22:01:52	12/19/05	MVA	100 STAUDT RD & OLD HWY 99	RCMAS INA
07:42:31	12/30/05	MVA	3228 OLD HWY 99 S RD; truc	RCMAS INA
11:54:12	02/19/06	MVA	200 ANDERSON RD & OLD HWY	RCMAS CAA
16:46:42	04/22/06	MVA	4220 OLD HWY 99 S RD; JOHN	RCMAS CAA
08:53:18	06/05/06	MVA	2000 OLD HWY 99 S RD & E B	RCMD INA
15:19:20	08/14/06	MVA	4220 OLD HWY 99 S RD; BARN	RCMAS INA
12:52:02	08/18/06	MVA	3824 OLD HWY 99 S RD ; JSO	RCMAS INA
06:31:24	12/02/06	MVA	4220 OLD HWY 99 S RD, MOUN	RCMAS INA
18:59:42	01/20/07	MVA	18215 CEDARDALE RD & OLD H	RCMAS INA
22:50:38	01/26/07	MVAU	4220 OLD HWY 99 S RD; NR JO	RCMAS ACT
09:31:34	07/03/07	MVA	2816 OLD HWY 99 S RD, MOUN	RCMAS ACT
15:29:13	07/13/07	MVA	2799 OLD HWY 99 S RD & AND	RCMAS ACT
11:46:07	09/06/07	MVA	OLD HWY 99 S RD ; IFO OF J	RCMAS INA

Total Incidents for This Report: 17

Report Includes:

- .. dates between `00:00:01 09/30/04` and `23:59:00 09/30/07`
- .. location codes
- .. cities
- .. addresses matching `*HWY 99 S*`
- .. agencies matching `MVPD`
- .. offenses observed
- .. offenses reported
- .. offense codes matching `TA*`
- .. nature of incidents
- .. circumstance codes

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Reported	Nature	Address	Loctn	Dsp
11:38:54	10/01/04 MVA	1636 S 2ND ST, MOUNT VERNO	RCMD	ACT
14:55:02	10/04/04 MVA	1008 S 2ND ST; CASA GRANDE	RCMD	INA
13:06:55	10/15/04 MVAU	799 S 2ND ST & W KINCAID S	RCMD	INA
09:51:49	11/24/04 MVA	611 S 2ND ST; IN THE AREA,	RCMD	ACT
17:40:48	11/24/04 MVA	820 S 2ND ST; WASHINGTON M	RCMD	ACT
19:54:06	11/28/04 MVA	1101 S 2ND ST; GREY HOUND,	RCMD	ACT
13:12:24	12/08/04 MVA	1125 S 2ND ST; E SECTION,	RCMD	CAA
16:10:12	12/10/04 MVA	700 S 2ND ST; NEAR PA'S OF	RCMD	ACT
16:42:40	12/16/04 MVA	S 2ND ST; NBND FROM BILL	RCMD	INA
16:00:53	01/06/05 MVAU	1125 S 2ND ST, MOUNT VERNO	RCMD	INA
13:06:53	01/28/05 MVA	999 S 2ND ST & SNOQUALMIE	RCMD	INA
17:40:23	01/31/05 MVA	820 S 2ND ST ;WA MUTUAL, M	RCMD	ACT
13:37:24	02/04/05 MVA	499 S 2ND ST & W GATES ST,	RCMD	ACT
11:11:56	03/03/05 MVA	521 S 2ND ST; TOKYO STOP,	RCMD	ACT
08:15:18	03/17/05 MVA	299 S 2ND ST & W WASHINGTO	RCMD	INA
12:38:25	03/28/05 MVA	399 S 2ND ST & W MONTGOMER	RCMD	INA
23:55:46	04/05/05 MVA	1222 S 2ND ST; APT A, MOUN	RCMD	ACT
01:44:05	04/06/05 MVA	599 S 2ND ST & MYRTLE ST,	RCMD	ACT
14:05:32	04/25/05 MVA	599 S 2ND ST & MYRTLE ST,	RCMD	INA
02:03:25	05/14/05 MVA	1199 S 2ND ST & W SECTION	RCMD	INA
16:02:36	05/27/05 MVA	1899 S 2ND ST & W TAYLOR S	RCMD	ACT
09:37:55	05/29/05 MVA	1099 S 2ND ST & MILWAUKEE	RCMD	CAA
13:24:36	06/22/05 MVA	299 W MONTGOMERY ST & S 2N	RCMD	INA
13:31:50	06/27/05 MVA	820 S 2ND ST; WASHINGTON M	RCMD	INA
17:28:07	07/13/05 MVA	611 S 2ND ST; ALLEY BEHIND	RCMD	ACT
13:20:24	07/23/05 MVA	S 2ND ST; UNK INTERSECTION	RCMD	ACT
13:25:41	07/25/05 MVA	1600 S 2ND ST ; IFO MV FOO	RCMD	INA
13:18:20	08/18/05 MVA	600 S 2ND ST; BLK, MOUNT V	RCMD	INA
14:29:57	08/18/05 MVA	299 MYRTLE ST & S 2ND ST,	RCMD	ACT
01:33:22	08/27/05 MVA	1800 S 2ND ST ; SOUTHSIDE	RCMD	ACT
10:04:07	09/10/05 MVA	419 S 2ND ST; US' BANK;NEAR	RCMD	INA
17:12:32	09/11/05 MVA	1331 S 2ND ST; JERRY'S GRO	RCMD	CAA
16:51:14	09/13/05 MVA	S 2ND ST; DOWNTOWN BY NEW	RCMD	ACT
16:26:19	10/12/05 MVA	100 E BLACKBURN RD & S 2ND	RCMD	INA
14:49:33	10/31/05 MVA	1399 S 2ND ST & W HAZEL ST	RCMD	INA
09:28:57	12/20/05 MVA	1331 S 2ND ST; AREA OF, MO	RCMD	INA
11:54:20	01/17/06 MVA	S 2ND ST; INFO COURTHOUSE,	RCMD	INA
15:51:36	01/18/06 MVA	1999 S 2ND ST & W BLACKBUR	RCMD	INA
09:06:57	02/02/06 MVA	1008 S 2ND ST; CASA GRANDE	RCMD	INA
02:53:50	02/07/06 MVA	600 S 2ND ST, MOUNT VERNON	RCMD	INA
14:10:06	03/13/06 MVA	605 S 2ND ST; ACROSS FROM,	RCMD	ACT
15:41:58	03/18/06 MVAU	799 S 2ND ST & W KINCAID S	RCMD	INA
21:19:10	04/08/06 MVA	399 S 2ND ST & W MONTGOMER	RCMD	ACT
10:10:24	06/10/06 MVA	799 S 2ND ST & W KINCAID S	RCMD	INA
18:48:55	06/10/06 MVA	S 2ND ST; X FROM COURT HOU	RCMD	ACT
07:17:53	06/14/06 MVA	399 S 2ND ST & W MONTGOMER	RCMD	INA
09:59:11	06/14/06 MVA	1331 S 2ND ST; ON SIDE STR	RCMD	ACT
21:08:40	07/31/06 MVA	S 2ND ST;NB, MOUNT VERNON,	RCMD	ACT
19:30:10	08/13/06 MVA	1015 S 2ND ST; IFO LAW OFF	RCMD	INA
19:06:51	10/23/06 MVAU	1008 S 2ND ST; CASA GRANDE	RCMD	ACT
16:42:54	10/30/06 MVA	800 S 2ND ST; BLK, MOUNT V	RCMD	INA
18:18:30	11/12/06 MVA	1399 S 2ND ST & W HAZEL ST	RCMD	INA
07:00:32	12/02/06 MVA	S 2ND ST; viaduct, MOUNT V	RCMD	INA
14:13:45	12/04/06 MVA	1520 S 2ND ST ; IN THE ARE	RCMD	ACT

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pliance with 97.050

Reported	Nature	Address	Loctn	Dsp
07:27:31	01/03/07	MVA	799 S 2ND ST & W KINCAID S	RCMD INA
09:17:19	01/22/07	MVA	100 W BLACKBURN RD & S 2ND	RCMD INA
14:33:55	01/26/07	MVA	999 S 2ND ST & SNOQUALMIE	RCMD INA
10:41:47	02/05/07	MVA	399 S 2ND ST & W MONTGOMER	RCMD ACT
09:49:16	03/01/07	TRAFFIC ENFORCE	899 S 2ND ST & BROADWAY ST	RCMD CAA
14:11:40	03/03/07	MVA	799 S 2ND ST & W KINCAID S	RCMD CAA
16:43:39	03/05/07	MVA	299 W SECTION ST & S 2ND S	RCMD INA
14:14:16	03/06/07	MVA	1100 S 2ND ST; AREA OF, MO	RCMD INA
08:06:28	03/14/07	MVA	299 MYRTLE ST & S 2ND ST,	RCMD INA
13:30:27	03/19/07	MVA	1615 S 2ND ST ; FOOD BANK,	RCMD ACT
09:29:00	03/20/07	MVA	1008 S 2ND ST; CASA GRANDE	RCMD ACT
20:06:20	04/06/07	MVA	S 2ND ST; HOLLYWOOD COFFEE	RCMD ACT
21:19:51	04/13/07	MVA	299 W KINCAID ST & S 2ND S	RCMD INA
14:30:45	04/17/07	MVAU	401 S 2ND ST; IFO, MOUNT V	RCMD INA
10:44:30	04/18/07	MVA	E KINCAID ST; NEAR S 2ND S	RCMS ACT
23:24:35	04/28/07	MVA	1331 S 2ND ST; JERRYS GROC	RCMD CAA
16:42:13	06/01/07	MVA	100 E BLACKBURN RD & S 2ND	RCMD INA
18:31:39	06/30/07	MVA	1331 S 2ND ST; JERRYS MARK	RCMD CAA
15:38:32	07/10/07	MVA	1999 S 2ND ST & E BLACKBUR	RCMD INA
09:53:26	08/04/07	MVA	100 E BLACKBURN RD & S 2ND	RCMD INA
10:49:25	08/19/07	MVA	299 W GATES ST & S 2ND ST,	RCMD INA
15:38:29	08/19/07	MVA	799 S 2ND ST & W KINCAID S	RCMD ACT
16:07:29	08/21/07	MVA	1100 S 2ND ST, MOUNT VERNO	RCMD INA
18:26:41	08/25/07	MVA	1299 S 2ND ST & PARK ST, M	RCMD INA
10:35:03	08/31/07	MVA	1300 S 2ND ST; BLK, MOUNT	RCMD INA
16:28:35	09/05/07	MVAU	1000 S 2ND ST; BLK, MOUNT	RCMD INA
17:04:34	09/10/07	MVA	901 S 2ND ST; MOUNT VERNON	RCMD INA
19:36:30	09/22/07	MVA	1000 S 2ND ST, MOUNT VERNO	RCMD INA

Total Incidents for This Report: 82

Report Includes:

- ll dates between `00:00:01 09/30/04` and `23:59:00 09/30/07`
- ll location codes
- ll agencies
- ll addresses matching `*S 2ND*`
- ll agencies matching `MVPD`
- ll offenses observed
- ll offenses reported
- ll offense codes matching `TA*`
- ll nature of incidents
- ll circumstance codes

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