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6 BEFORE THE WASHINGTON STATE  
7 UTILITIES AND TRANSPORTATION COMMISSION  
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10 BNSF RAILWAY COMPANY, a Delaware  
11 Corporation,

Petitioner

12 vs.  
13

14 CITY OF MOUNT VERNON

Respondents,  
15

16 SKAGIT COUNTY, WSDOT, and WEST  
17 VALLEY FARMS, LLC,

Intervenors.  
18

DOCKET NO: TR-070696

BNSF RAILWAY COMPANY'S  
CROSS EXAMINATION ESTIMATE

19 Pursuant to the Commission's pre-hearing order of August 14, 2007, Petitioner BNSF  
20 Railway Company discloses that it intends to briefly cross examine the following witnesses  
21 (each cross-examination will elicit two or three points):

- 22 1. Thomas Zeinz  
23 2. Paul Curl  
24 3. Robert Johnston  
25 4. Mark Watkinson  
26 5. Ric Boge  
27 6. Esco Bell

- 1 7. Mike Love
- 2 8. Jana Hanson
- 3 9. Glenn Brautaset
- 4 10. David Skrinde
- 5 11. David Olson
- 6 12. David Boon
- 7 13. Jeffrey Boon
- 8 14. Vic Benson
- 9 15. Larry Rabel
- 10 16. Bud Norris
- 11 17. Darrin Morrision
- 12 18. Albert Liou
- 13 19. Patrick DeJong
- 14 20. Richard Smith
- 15 21. L. Sloane Winkes

16 In addition to the witnesses listed above, BNSF may briefly cross examine any other  
17 witness who provided direct or rebuttal prefiled testimony on behalf of the parties and  
18 interveners opposing closure of the Hickox crossing in this case.

19 DATED this 19<sup>th</sup> day of December, 2007.

20  
21 Montgomery Scarp MacDougall, PLLC

22 

23 Bradley P. Scarp, WA. Bar No. 21453  
24 Kelsey Endres, WA. Bar No. 39409  
25 Of Attorneys for BNSF Railway Company  
26 1218 Third Ave., Ste. 2700  
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2 CERTIFICATE OF SERVICE

3 I am over the age of 18; and not a party to this action. I am the assistant to an attorney with Montgomery Scarp  
4 MacDougall, PLLC, whose address is 1218 Third Avenue, Suite 2700, Seattle, Washington, 98101.

5 I hereby certify that the original and 12 copies of *BNSF's Cross Examination Estimate* has been sent by FedEx to Carole  
6 J. Washburn at WUTC and a PDF version sent by electronic mail. I also certify that true and complete copies have been sent via  
7 electronic mail and U.S. Mail to the following interested parties:

8 Stephen Fallquist  
9 Deputy Prosecuting Attorney  
10 Skagit County  
11 605 S. 3<sup>rd</sup> Street  
12 Mount Vernon, WA 98273

L.Scott Lockwood  
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13 Gary T. Jones  
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20 Des Moines, WA 98198

Kevin Rogerson  
City Attorney  
P.O Box 809  
Mount Vernon, WA 98273

21 Adam E. Torem  
22 1300 S. Evergreen Park Dr. SW  
23 P.O. Box 47250  
24 Olympia, WA 98504-7250

25 I declare under penalty under the laws of the State of Washington that the foregoing information is true and correct.

26 DATED this 19<sup>th</sup> day of December, 2007 at Seattle, Washington.

27   
\_\_\_\_\_  
Lisa Miller, Paralegal