



Bob Ferguson

ATTORNEY GENERAL OF WASHINGTON

Utilities and Transportation Division

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

May 8, 2013

Steven V. King, Acting Executive Director and Secretary
Washington Utilities and Transportation Commission
1300 S. Evergreen Park Dr. SW
P. O. Box 47250
Olympia, Washington 98504-7250

RE: *In the Matter of the Penalty Assessment against BNSF Railway Co.*
Docket TR-121921

Dear Mr. King:

As requested in your letter of April 10, 2013, the parties submit this status report regarding settlement negotiations in the above matter.

The parties have made substantial progress toward resolution of this matter. We are now working on the final language of a settlement agreement to submit to the Commission for approval. While we hope to file that agreement sooner, we would request an additional week to finalize and file the agreement or, if necessary, file another status report with the Commission.

Therefore, the parties request the Commission to continue to hold in abeyance enforcement of the Penalty Assessment and BNSF's request for hearing until May 15, 2013.

Sincerely,

STEVEN W. SMITH
Assistant Attorney General

SWS/emd
Enclosures

cc: Montgomery Scarp, PLLC w/enc.