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STATE OF WASH.
UTIL. AND TRANSP.
COMMISSION

BEFORE THE WASHINGTON UTILITIES AND
TRANSPORTATION COMMISSION

BNSF RAILWAY COMPANY,

Petitioner,

DOCKET NO. TR-090121

vs.

SNOHOMISH COUNTY,

NOTICE OF APPEARANCE

Respondent.

TO: DAVID DANNER, Secretary and Executive Director, WUTC; and

TO: BNSF RAILWAY COMPANY

PLEASE TAKE NOTICE that Snohomish County, the above-named respondent, does hereby appear in the above entitled action through the undersigned attorneys, without waiving objection to lack of jurisdiction over the person, insufficiency of process, insufficiency of service of process, or improper venue. You are requested to serve all pleadings and other papers, except original process, upon the undersigned attorneys at the following addresses:

Justin W. Kasting
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DATED this 5th day of February, 2009.

JANICE E. ELLIS
Snohomish County Prosecuting Attorney

By 
JUSTIN W. KASTING, WSBA #35817
Deputy Prosecuting Attorney

By 
MATTHEW A. OTTEN, WSBA #40485
Deputy Prosecuting Attorney
Attorneys for Respondent Snohomish County

CERTIFICATE OF SERVICE

I, Regina McManus, a citizen of the United States, resident of the State of Washington, over the age of 18 years and an employee of the Civil Division of the Snohomish County Prosecuting Attorney's Office, certify under the penalty of perjury under the laws of the state of Washington that the **original and 12 copies of the foregoing Notice of Appearance were mailed to David Danner, Executive Director and Secretary, WUTC, 1300 S. Evergreen Park Dr S.W., P.O. Box 47250, Olympia, WA 98504-7250** and true copies of the same were served on the following person(s) and by the method indicated:

Commission Staff:

Jonathan Thompson
Assistant Attorney General
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P.O. Box 40128
Olympia, WA 98504-0128
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- U.S. Mail, 1st Class, postage prepaid
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Attorney for BNSF Railway Company

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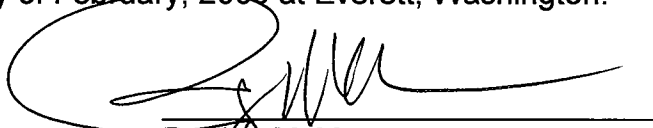
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Intervenor:

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DATED this 5th day of February, 2009 at Everett, Washington.


Regina McManus