

The Route to Success.

MONTGOMERY SCARP & CHAIT PLLC

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WASH. UT. & TP. COMM

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VIA U.S. MAIL

June 25, 2020

Mark L. Johnson, Executive Director and Secretary
Washington Utilities and Transportation Commission
1300 S. Evergreen Park Dr. SW
P. O. Box 47250
Olympia, Washington 98504-7250

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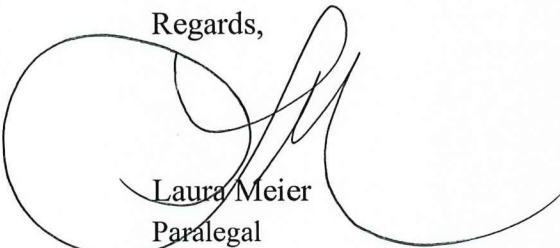
STATE OF WASH.
UTIL. & TRANSP. COMMISSION

RE: Clark County v. BNSF Railway Company
Docket TR-190228

Dear Mr. Johnson:


Enclosed for filing in the above-referenced docket is the original and one copy of the Ninth Joint Status Report.


Regards,



Laura Meier
Paralegal
Montgomery Scarp & Chait PLLC

Enclosure

Cc: Parties via email

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**BEFORE THE WASHINGTON UTILITIES AND
TRANSPORTATION COMMISSION**

In Re the Petition of: CLARK COUNTY, Petitioner v. BURLINGTON NOTHERN SANTA FE RAILWAY, Respondent.	DOCKET NO. TR-190228 NINTH JOINT STATUS REPORT
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Pursuant to the ALJ’s September 25, 2019, Notice Suspending Procedural Schedule, the parties provide this Ninth Joint Status Report regarding ongoing settlement negotiations.

As the parties last reported, the parties attended a site visit on March 3, 2020. At that visit, it became apparent that the installation of a median on the west side of the crossing, as a safety measure to facilitate a quiet zone, may not accommodate BNSF’s service vehicles and crew van shuttles’ need to turn left onto an access road, which parallels the railroad tracks to the south of the crossing. The parties are still working to evaluate this issue as well as ownership and access issues on both sides of the crossing. In addition, the public health emergency surrounding COVID-19 continues to complicate the County’s ability to analyze these issues, consult with community stake holders, and engage policy makers to determine a path forward.

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The Parties jointly request that the ALJ maintain the suspension of procedural schedule to allow the parties to continue the above referenced discussions.

Respectfully submitted this 25th day of June 2020.

s/ Taylor Hallvik
Taylor R. Hallvik, WSBA #44963
Deputy Prosecuting Attorney
Clark County Prosecutor's Office – Civil Div.
Attorney for Petitioner
Per email authority

s/ Kelsey Endres
Kelsey Endres, WSBA # 39409
Attorney, BNSF Railway Company
Attorney for Respondent

CERTIFICATE OF SERVICE

I hereby certify that I have this day mailed the parties' Ninth Joint Status Report to Washington Utilities and Transportation Commission, 1300 S. Evergreen Park Dr. SW, P.O. Box 47250, Olympia, Washington 98504-7250 and served the same upon the persons and entities listed below via Email:

Jeff Roberson
Assistant Attorney General
Office of the Attorney General
Utilities and Transportation Division
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jeff.roberson@utc.wa.gov

Taylor Hallvik
Deputy Prosecuting Attorney
Clark County Prosecutor's Office
P.O. Box 5000
Vancouver, WA 98666
Taylor.Hallvik@clark.wa.gov

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

DATED this 25th day of June, 2020, Seattle, Washington.

s/Laura Meier _____
Laura Meier