

[Service Date February 27, 2008]

February 27, 2008

NOTICE REGARDING POST-HEARING BRIEFS

RE: *BNSF Railway Company v. City of Mt. Vernon*, Docket TR-070696

TO ALL PARTIES:

On February 15, 2008, in accordance with the procedural schedule in this docket, all parties filed their post-hearing briefs. On February 22, 2008, BNSF filed its *Request to File Supplemental Brief if the Commission Would Prefer Additional Legal Analysis Re Petition for New Crossing*. On February 26, 2008, the City of Mount Vernon, Skagit County, Western Valley Farms, LLC, and Skagit County Fire Protection District No. 3 collectively filed a *Joint Response to Petitioner's Request to File Supplement Brief*.

The Commission has made its initial review of the parties' post-hearing briefs and is satisfied that all issues pertinent to the decision in this matter have been sufficiently explored. Therefore, the Commission respectfully declines BNSF's *Request*.

Sincerely,

ADAM E. TOREM
Administrative Law Judge