

**BEFORE THE WASHINGTON STATE  
UTILITIES AND TRANSPORTATION COMMISSION**

PUGET SOUND AND PACIFIC	)	DOCKET NO. TR-041729
RAILROAD,	)	
	)	
Petitioner,	)	
	)	NOTICE OF PREHEARING
v.	)	CONFERENCE
	)	<b>(Set for January 13, 2005 at 1:30 p.m.)</b>
THURSTON COUNTY,	)	
	)	
Respondent.	)	
.....	)	

- 1 On September 22, 2004, Puget Sound and Pacific Railroad filed with the Commission a Petition for the abandonment and closure of the Moon Road at-grade crossing. The complete file in this matter sets forth the issues in more detail and is available for public inspection at the Commission's offices in the Chandler Plaza Building, 1300 S. Evergreen Park Drive S.W., Olympia, Washington, and on the Commission's web site at [www.wutc.wa.gov/041729](http://www.wutc.wa.gov/041729).
  
- 2 A prehearing conference in this matter is being held pursuant to Part IV of chapter 34.05 RCW pertaining to adjudicative proceedings, including but not limited to RCW 34.05.413, RCW 34.05.431, RCW 34.05.440, RCW 34.05.449, RCW 34.05.452, RCW 81.04.110, RCW 81.44.010, and RCW 81.53.060. The Commission has jurisdiction over this matter under Title 81 RCW, having legal authority to regulate the closure of railroad crossings pursuant to chapter 81.53 RCW, including without limitation, RCW 81.53.060. In addition to the foregoing statutes, rules involved include those within chapter 480-07 WAC relating to practice and procedure. The ultimate issue involved is whether the public safety requires an order be entered authorizing closure of the above-described crossing.
  
- 3 **THE COMMISSION GIVES NOTICE That a prehearing conference in this matter will be held at 1:30 p.m., on January 13, 2005, in Room 108, Chandler Plaza Building, 1300 S. Evergreen Park Drive S.W., Olympia, Washington.**

4 The purpose of the prehearing conference is to take interventions, establish dates for distribution of evidence and workpapers and other scheduling matters, consider formulating the issues in the proceeding and to determine other matters to aid in its disposition, as specified in WAC 480-07-430.

5 Petitions to intervene should be made in writing at least three business days prior to the date scheduled for the prehearing conference, as required in WAC 480-07-355(a). The Commission will consider petitions to intervene made orally during the conference, but strongly prefers written petitions to intervene. In addition, party representatives must file notices of appearance with the Commission, as required by WAC 480-07-345(2), no later than the day prior to the conference. If any party or witness needs an interpreter or other assistance, please fill out the form attached to this notice and return it to the Commission. The time and place for any evidentiary hearings will be set at the prehearing conference, on the record of a later conference or hearing session, or by later written notice.

6 **THE COMMISSION GIVES NOTICE that any party who fails to attend or participate in the prehearing conference set by this Notice, or any other stage of this proceeding, may be held in default in accordance with RCW 34.05.440. The parties are further advised that the sanction provisions of WAC 480-07-450 are specifically invoked.**

7 The names and mailing addresses of all parties and their known representatives are as follows:

Petitioner: Puget Sound and Pacific Railroad  
Tom Paul, General Manager  
P.O. Box L-2  
501 N. 2<sup>nd</sup> Street  
Elma, WA 98541

Respondent: Thurston County Road and Transportation  
Dave Nichols, Engineering Program Manager  
2404-A Heritage Court S.W.  
Olympia, WA 98502-6031

Commission Staff: Jonathan Thompson  
Assistant Attorney General  
1400 S. Evergreen Park Drive S.W.  
P.O. Box 40128  
Olympia, WA 98504-0128  
(360) 664-1225

8 Administrative Law Judge Karen M. Caillé, from the Utilities and Transportation  
Commission's Administrative Law Division, will preside during this proceeding.

9 Notice of any other procedural phase will be given in writing or on the record, as  
the Commission may deem appropriate during the course of this proceeding.

DATED at Olympia, Washington, and effective this 20th day of December, 2004.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

CAROLE J. WASHBURN  
Executive Secretary

Inquiries may be address to:

Secretary  
Washington Utilities and  
Transportation Commission  
Chandler Plaza Building  
1300 S. Evergreen Park Drive S.W.  
P.O. Box 47250  
Olympia, WA 98504-7250  
(360) 664-1160

**NOTICE**

PLEASE NOTE: The hearing facilities are accessible to interested people with disabilities; that smoking is prohibited; and if limited English-speaking or hearing-impaired parties or witnesses are involved in a hearing and need an interpreter, a qualified interpreter will be appointed at no cost to the party or witness.

The information needed to provide an appropriate interpreter or other assistance should be stated below and returned to Washington Utilities and Transportation Commission, Attention: Carole J. Washburn, 1300 S. Evergreen Park Drive SW, P. O. Box 47250, Olympia, WA 98504-7250. (PLEASE SUPPLY ALL REQUESTED INFORMATION)

Docket No.: \_\_\_\_\_

Case Name: \_\_\_\_\_

Hearing Date: \_\_\_\_\_ Hearing Location: \_\_\_\_\_

Primary Language: \_\_\_\_\_

Hearing Impaired (Yes) \_\_\_\_\_ (No) \_\_\_\_\_

Do you need a certified sign language interpreter:

Visual \_\_\_\_\_ Tactile \_\_\_\_\_

Other type of assistance needed: \_\_\_\_\_

English-speaking person who can be contacted if there are questions:

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone No.: (\_\_\_\_) \_\_\_\_\_