

**Docket Nos. TR-210809 and TR-210814 - Vol. III
(Consolidated)**

**In the Matter of: City of Spokane Valley v. Union Pacific
Railroad Company**

May 10, 2022



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BEFORE THE WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

CITY OF SPOKANE VALLEY,) DOCKETS TR-210809 and) TR-210814 Complainant,) (Consolidated) vs.) ORDER 01) UNION PACIFIC RAILROAD) COMPANY,) Respondent.)

VIRTUAL PUBLIC COMMENT HEARING VOLUME III Pages 152-157

May 10, 2022 6:00 p.m.

Washington Utilities and Transportation Commission 621 Woodland Square Loop Southeast Lacey, Washington 98503

(All participants appeared via videoconference.)

DATE TAKEN: MAY 10, 2022 REPORTED BY: ROSE DETLOFF, RPR, CCR #21036100

1 LACEY, WASHINGTON; MAY 10, 2022 2 6:14 p.m.

3 -o0o- 4 P R O C E E D I N G S 5

6 JUDGE HOWARD: Good evening, everyone. My 7 name is Michael Howard. I'm an Administrative Law Judge 8 with the Commission.

9 We're here for a public comment hearing in 10 consolidated Dockets TR-210809 and TR-210814.

11 It does not appear that any members of the 12 public are present at the moment. Are there any members 13 of the public who wish to comment in this proceeding 14 right now who are on the line?

15 All right. Hearing none, we will take a 16 recess -- a brief recess until 6:30, and we will see if 17 members of the public join us in the meantime.

18 We are in recess. 19 (A recess was taken.)

20 JUDGE HOWARD: Let's be back on the record. 21 Again, we are here for a public comment hearing 22 in Dockets TR-210809 and TR-210814.

23 This proceeding -- in this proceeding, the City 24 of Spokane Valley is seeking to -- is petitioning the 25 Commission to modify warning devices at a grade crossing

1 A P P E A R A N C E S 2 ADMINISTRATIVE LAW JUDGE: 3 MICHAEL HOWARD 4

5 STAFF: 6 JEFF ROBERSON 7 Assistant Attorney General 8 Office of the Attorney General 9 Utilities and Transportation Division 10 P.O. Box 40128 11 Olympia, Washington 98504 12 360-664-1188 13 jeff.roberson@utc.wa.gov

11 CITY OF SPOKANE VALLEY:

12 Aziza L. Foster 13 Menke Jackson Beyer, LLP 14 807 North 39th Avenue 15 Yakima, Washington 98902 16 509-575-0313 17 zfooster@mjbe.com

16 UNION PACIFIC RAILROAD COMPANY:

17 Rachel Tallon Reynolds 18 Lewis Brisbois Bisgaard & Smith, LLP 19 1111 Third Avenue 20 Suite 2700 21 Seattle, Washington 98101 22 206-436-2020 23 rachel.reynolds@lewisbrisbois.com

24 ALSO PRESENT: 25 SHAWN LANKA 26 RYAN SMITH 27 BETTY YOUNG

1 over Barker Road. The City is also seeking to assign 2 maintenance costs for the devices to Union Pacific 3 Railroad.

4 Do we have any members of the public on the 5 call today who would like to make a comment? I am not 6 seeing any at the moment.

7 All right. In hearing none -- in that event, 8 we will take appearances from the representatives from 9 the parties that are present and from Commission Staff.

10 Could we start with the representatives from 11 the City.

12 MS. FOSTER: Yes. Hi. Aziza Foster, 13 A-Z-I-Z-A, of Menke Jackson Beyer for the City.

14 JUDGE HOWARD: Thank you. 15 Could we have an appearance for Union Pacific.

16 MS. REYNOLDS: Yes. Good evening, Your 17 Honor. This is Rachel Reynolds on behalf of Union 18 Pacific and with Lewis Brisbois in Seattle.

19 JUDGE HOWARD: Thank you. 20 Could we have an appearance for Staff.

21 MR. ROBERSON: Good evening, Judge Howard. 22 Jeff Roberson, Assistant Attorney General, on behalf of 23 Staff.

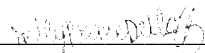

24 JUDGE HOWARD: Thank you. 25 Do we have any members of the Commission Staff

1 that should be making an appearance, or is Counsel's
2 appearance sufficient?
3 MR. ROBERSON: I think I'll do, Your Honor.
4 JUDGE HOWARD: All right. Well, it looks
5 like we do not have any members of the public, and we
6 have already -- we began at 6:15, unfortunately, and we
7 have recessed through 6:30. So it does not appear that
8 any members of the public are present. So I believe we
9 will adjourn in a moment here.
10 Are there any concerns or questions before we
11 adjourn?
12 MS. FOSTER: None from the City.
13 MR. ROBERSON: None from Staff.
14 MS. REYNOLDS: None from the Railroad, Your
15 Honor.
16 JUDGE HOWARD: All right. Thank you all.
17 We are adjourned.
18 (Proceedings adjourned at 6:32 p.m.)
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1 CERTIFICATE

2
3 STATE OF WASHINGTON
4 COUNTY OF KING

5
6 I, Rose Detloff, a Certified Court Reporter in
7 and for the State of Washington, do hereby certify that
8 the foregoing transcript is true and accurate to the
9 best of my knowledge, skill and ability.
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ROSE DETLOFF, CCR, RPR

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17 My commission expires:
18 DECEMBER 6, 2022
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