

**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

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

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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 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  
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11 CITY OF SPOKANE VALLEY:

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16 UNION PACIFIC RAILROAD COMPANY:

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23 rachel.reynolds@lewisbrisbois.com

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21 ALSO PRESENT:

22 SHAWN LANKA  
23 RYAN SMITH  
24 BETTY YOUNG

24

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\* \* \* \* \*

1 LACEY, WASHINGTON; MAY 10, 2022

2 6:14 p.m.

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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 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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C E R T I F I C A T E

STATE OF WASHINGTON  
COUNTY OF KING

I, Rose Detloff, a Certified Court Reporter in  
and for the State of Washington, do hereby certify that  
the foregoing transcript is true and accurate to the  
best of my knowledge, skill and ability.

  
\_\_\_\_\_  
ROSE DETLOFF, CCR, RPR



My commission expires:  
DECEMBER 6, 2022