

BEFORE THE WASHINGTON UTILITIES AND TRANSPORTATION
COMMISSION

WASHINGTON UTILITIES AND)	
TRANSPORTATION COMMISSION)	DOCKET NO. TR-980897
)	
Petitioner,)	
)	NOTICE OF HEARING ON
v.)	PROPOSED SETTLEMENT
)	AGREEMENT
KLICKITAT COUNTY AND)	(June 5, 2002 - 6:00 p.m.)
BURLINGTON NORTHERN SANTA)	
FE RAILROAD,)	
)	
Respondents.)	
.....)	

1 On June 26, 1998, the Commission filed a Petition for the abandonment and closure of Depot Road grade crossing in Klickitat County. The parties in this proceeding have reached an agreement that, if accepted by the Commission, would settle all contested issues in this docket. The proposed settlement agreement will be presented to the Commission at a hearing in which the Commission may ask the parties questions about the provisions of the proposal. A hearing for the members of the public to comment on the proposal will begin immediately upon conclusion of the settlement hearing.

2 Hearing 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 480-09 WAC relating to practice and procedure.

3 **NOTICE IS HEREBY GIVEN That a hearing on the parties proposed settlement agreement will be held on Wednesday, June 5, 2002, at 6:00 p.m., in the Lyle Lions Club, located at the corner of 5th Street and State Street (Highway 14), Lyle, Washington.** A hearing to receive public comment will begin immediately upon conclusion of the hearing on the parties proposal. The purpose of the hearing is for the Commission to review whether the proposed settlement reached by the parties is in the public interest.

4 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.

5 NOTICE IS FURTHER GIVEN THAT ANY PARTY WHO FAILS TO ATTEND OR PARTICIPATE IN THE HEARING 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 480-09-700(4) ARE SPECIFICALLY INVOKED.

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

Petitioner: Washington Utilities and Transportation Commission
1300 S. Evergreen Park Drive S.W.
P.O. Box 47250
Olympia, WA 98504-7250

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

Respondent: Burlington Northern and Santa Fe Railway
Mike Cowles
Manager Public Projects
2454 Occidental Avenue S. Ste 1-A
Seattle WA 98134-1451
(206) 625-6146

Respondent: Klickitat County
205 South Columbus
Goldendale, WA 98620

7 Lawrence J. Berg has been appointed as the Administrative Law Judge from the Utilities and Transportation Commission's Administrative Law Division, 1300 S. Evergreen Park Drive S.W., Olympia, Washington 98504-7250 and will preside at the hearing.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

CAROLE J. WASHBURN
Executive Secretary

April __, 2002

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.: (____) _____