

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

BENTON COUNTY,	)	DOCKET TR-100572 (<i>Consolidated</i>)
)	
Petitioner,	)	ORDER 02
)	
v.	)	ORDER GRANTING
	)	CONTINUANCE; NOTICE OF
BNSF RAILWAY COMPANY,	)	RESCHEDULED PREHEARING
	)	CONFERENCE
Respondent.	)	(Set for September 27, 2010, 1:30
	)	p.m.)
.....)	
)	
BENTON COUNTY,	)	DOCKETS TR-100573, TR-100574,
	)	TR-100575 and TR-100576
Petitioner,	)	<i>(Consolidated)</i>
)	
v.	)	ORDER 03
)	
UNION PACIFIC RAILROAD,	)	ORDER GRANTING
	)	CONTINUANCE; NOTICE OF
Respondent.	)	RESCHEDULED PREHEARING
	)	CONFERENCE
	)	(Set for September 27, 2010, 1:30
	)	p.m.)
.....)	

1 On April 9, 2010, Benton County (County) filed with the Washington Utilities and Transportation Commission (Commission) four petitions to construct a highway-rail grade crossings at Piert Road, Benton County (Dockets TR-100572 through TR-100575), and a petition for the closure of a highway-rail grade crossing at Cochran Road, Benton County (Docket TR-100576).

2 On June 16, 2010, the Commission entered Order 01 in Docket TR-100572 and Order 02 in TR-100573, TR-100574, TR-100575 and TR-100576, consolidating the dockets for hearing and determination. In these orders, the Commission also scheduled a prehearing conference in the consolidated dockets for Wednesday, August 11, 2010.

- 3 On August 9, 2010, counsel for Commission Staff telephoned the presiding administrative law judge and advised the judge that the parties sought a continuance of the prehearing conference. The presiding judge requested that the parties file a written request for continuance. On August 10, 2010, the County, BNSF Railway Company, Union Pacific Railroad Company and Commission Staff filed a joint motion seeking a continuance of the prehearing conference from Wednesday, August 11, 2010, until Monday, September 27, 2010. The parties request a continuance to address questions relating to ownership of the southern two proposed railway crossings and to continue settlement negotiations.
- 4 Under WAC 480-07-385(3)(b), the Commission will consider oral requests for continuance up to two days prior to the deadline. The joint parties' oral request is timely under this rule, and the written motion demonstrates good cause for a continuance. The parties' joint motion for a continuance of the prehearing conference until Monday, September 27, 2010, is granted.
- 5 **THE COMMISSION GIVES NOTICE** That the prehearing conference in these consolidated matters scheduled for Wednesday, August 11, 2010, at 1:30 p.m. is continued and rescheduled to **1:30 p.m. on Monday, September 27, 2010, in Room 206, Second Floor, Richard Hemstad Building, 1300 S. Evergreen Park Drive S.W., Olympia, Washington.** The Commission prefers that parties appear in person. However, if this imposes a hardship, parties may attend the prehearing conference via the Commission's teleconference bridge line at **(360) 664-3846**. Please appear on the teleconference bridge no more than five minutes before the conference is scheduled to begin.

DATED at Olympia, Washington, and effective August 10, 2010.

WASHINGTON STATE UTILITIES AND TRANSPORTATION COMMISSION

DENNIS J. MOSS
Administrative Law Judge