



STATE OF WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION

621 Woodland Square Loop S.E. • Lacey, Washington 98503
P.O. Box 47250 • Olympia, Washington 98504-7250
(360) 664-1160 • TTY 1-800-833-6384 or 711

June 17, 2024

NOTICE CONTINUING PREHEARING CONFERENCE
(Now set for August 16, 2024, at 10:30 a.m.)

RE: *In the Matter of the Petition of City of Bingen to Construct or Reconstruct Railroad-Highway Grade Separation (Overcrossing or Undercrossing)*
Docket TR-230483

TO ALL PARTIES:

On June 15, 2023, the City of Bingen filed with the Washington Utilities and Transportation Commission (Commission) a petition to construct a railroad-highway grade separation at Elm Street in the City of Bingen, Washington, (Petition) over railroad tracks belonging to BNSF Railway (BNSF).

On July 10, 2023, the Commission issued a Notice of Prehearing Conference (Notice) scheduling a virtual prehearing conference on August 2, 2023, at 1:30 p.m.

On July 31, 2023, the Commission issued a Notice Continuing Prehearing Conference, that rescheduled the prehearing conference to August 23, 2023, at 10:30 a.m.

On August 21, 2023, the Commission issued a Notice Continuing Prehearing Conference, that rescheduled the prehearing conference to February 15, 2024, at 10:30 a.m.

On February 13, the Commission issued a Notice Continuing Prehearing Conference, that rescheduled the prehearing conference to June 18, 2024, at 10:30 a.m.

On June 13, 2024, the parties notified the presiding officer that the City and BNSF have made progress in resolving this matter via settlement, but progress has been delayed as counsel for BNSF has changed. Additionally, the parties are in the process of preparing an amended petition, which will include a waiver of hearing. However, the parties will not all agree to sign the waiver of hearing until Construction & Maintenance Agreement between

WSDOT, Bingen and the railroad is signed, first. In order to allow for the synergy of these documents and agreement among the parties, it is requested that the prehearing conference be continued until August 2024 to allow sufficient time to complete this process.

The Commission finds good cause to continue the prehearing conference until August 16, 2024, at 10:30 a.m.

THE COMMISSION GIVES NOTICE That the prehearing conference in Docket TR-230483 is continued to Friday, August 16, 2024, beginning at 10:30 a.m. To attend the hearing by telephone, please call (253) 215-8782 and enter the Meeting ID: 880 0342 1446# and Passcode: 990225#. To attend via Zoom, please use the following link: [Click to Join Meeting](#).

/s/ James Brown II
JAMES BROWN II
Administrative Law Judge