



**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*

July 12, 2021

**NOTICE OF OPPORTUNITY TO RESPOND TO PROPOSED  
STIPULATED ORDER OF DISMISSAL  
(By Friday, July 16, 2021)**

RE: *Spokane County v. Union Pacific Railroad Company,*  
Docket TR-210257

TO ALL PARTIES:

On April 20, 2021, Spokane County filed a formal complaint (Complaint) with the Washington Utilities and Transportation Commission (Commission) against Union Pacific Railroad Company (UPRR). The Complaint alleged that UPRR demanded that Spokane County agree to assume maintenance costs of a proposed highway grade crossing, contrary to Revised Code of Washington (RCW) 81.53.295.

On May 10, 2021, UPRR filed a Notice of Appearance and Stipulated Motion for Continuance, requesting that the Commission extend the deadline for UPRR to respond to the Complaint to May 20, 2021.<sup>1</sup>

On May 20, 2021, UPRR contacted the presiding officer to request a further continuance of the deadline, which was extended to Friday, May 28.

On July 9, 2021, submitted a proposed Stipulation and Order for Dismissal of Spokane County's First Amended Complaint (Proposed Order), in which the parties agreed to dismiss the Complaint without prejudice.

Any party that opposes motion to dismiss may file a written response by such deadline as the Commission sets.<sup>2</sup> Accordingly, Commission staff (Staff) may file a written response to the Proposed Order by Friday, July 16, 2021.

---

<sup>1</sup> WAC 480-07-370 (2)(b) requires a response within 20 days of service of the Complaint.

<sup>2</sup> WAC 480-07-380.

**THE COMMISSION GIVES NOTICE That Commission staff may file any written response to the Proposed Order by 5 p.m., Friday, July 16, 2021.**

*/s/ Rayne Pearson*

RAYNE PEARSON

Director, Administrative Law Division