

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

CITY OF SPOKANE VALLEY,

Petitioner,

v.

UNION PACIFIC RAILROAD,

Respondent.

DOCKET TR-111033

MOTION FOR CONTINUANCE
AND TO MODIFY PROCEDURAL
SCHEDULE

Petitioner City of Spokane Valley (“Spokane Valley”), by and through its attorneys, Hedeem & Caditz, PLLC and Bryan D. Caditz, hereby requests the Commission continue all deadlines in this matter by six weeks and modify the Procedural Schedule as set forth in Appendix A to this motion. This modification is requested to facilitate settlement discussions and avoid expense associated with preparing testimony and exhibits that will likely be obviated by a settlement.

The City’s Petition is for approval of the installation of sidewalks and for the modification of warning devices at a highway-rail grade crossing at Pines Road (SR-27) in Spokane Valley, Washington, USDOT Crossing No. 662519S. Spokane Valley and Respondent Union Pacific Railroad are in general agreement as to the improvements and modifications to be performed at the crossing and are close to agreement on the allocation of costs.

Any agreement requires approval by the Spokane Valley City Council, a process that requires a minimum of three weeks. Giving consideration to time lost due to holiday

vacation schedules, a six-week extension of the hearing and all interim deadlines is appropriate.

Counsel for Spokane Valley has conferred with counsel for Union Pacific Railroad and the UTC and neither has any objection to this request.

DATED this 20th day of December, 2011.

HEDEEN & CADITZ, PLLC

By



Bryan D. Caditz WSBA#15243
Attorneys for Petitioner

APPENDIX A
PROPOSED PROCEDURAL SCHEDULE
DOCKET TR-111033

EVENT	PRIOR DEADLINE	PROPOSED DEADLINE
City of Spokane Valley Prefiled Direct Testimony and Exhibits	December 23, 2011	February 3, 2012
Union Pacific Railroad and Commission Staff Prefiled Responsive Testimony and Exhibits	February 24, 2012	April 6, 2012
City of Spokane Valley Prefiled Rebuttal Testimony and Exhibits and Union Pacific Railroad and Commission Staff Prefiled Cross-Answering Testimony and Exhibits	March 30, 2012	May 11, 2012
Evidentiary Hearing	May 2, 2012	June 13, 2012

CERTIFICATE OF SERVICE

I hereby certify that a true copy of the foregoing Motion for Continuance and to Modify Procedural Schedule was served on the following parties and their known representatives, via E-mail and via first class mail, postage prepaid, at the addresses listed below:

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DATED this 20th day of December, 2011, at Seattle, Washington.



SUSAN K. MATHEWS