



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 17, 2025

NOTICE CONTINUING DATE TO FILE SETTLEMENT OR STATUS UPDATE

RE: *City of Olympia v. Union Pacific Railroad Company,*
TR-240783 and TR-240793 (*Consolidated*)

TO ALL PARTIES:

On October 21, 2024, the City of Olympia filed with the Washington Utilities and Transportation Commission (Commission) a petition to modify a highway-rail grade crossing, USDOT Crossing Number 807857V. The matter was filed under Docket TR-240783. On October 23, 2024, the City of Olympia filed with the Commission a petition to modify a highway-rail grade crossing, USDOT Crossing Number 807853T. The matter was filed under Docket TR-240793. On November 12, 2024, Union Pacific Railroad Company (UPRR) filed with the Commission two letters opposing the petitions filed in Dockets TR-240783 and TR-240793.

On January 22, 2025, the Commission issued Order 01 Order of Consolidation and Notice of Prehearing Conference (Order 01), which consolidated Dockets TR-240783 and TR-240793 and set a prehearing conference in the newly consolidated dockets for February 25, 2025, at 9:30 a.m.

On March 17, 2025, The Commission issued Order 02 Prehearing Conference Order; Notice of Hearing (Order 02), which among other things, established a procedural schedule and set an evidentiary hearing for Wednesday, June 11, 2025, at 9:30 a.m.

On June 10, 2025, the Commission issued a Notice Cancelling Hearing, Suspending Procedural Schedule and Requiring Filing of Settlement Documents or Status Update (Notice). In the Notice, the Commission suspended the procedural schedule and required the parties to submit settlement material or a status update regarding potential settlement discussions by no later than July 11, 2025.

Also on July 10, 2025, the City of Olympia and UPRR filed a status update, requesting an additional 30-day continuance of the deadline to submit settlement materials, as the parties were still in the process of discussing settlement.

Washington Administrative Code (WAC) 480-07-385(2)(a) provides:

Any party may request a continuance by oral or written motion. The commission may require a confirmation letter or email if a party makes an oral request. The presiding officer may rule on such motions orally at a prehearing conference or hearing session, or by written notice or order. The commission will grant a continuance if the requesting party demonstrates good cause for the continuance and the continuance will not prejudice any party or the commission. A party may request a continuance by email to the presiding administrative law judge if the party accurately represents that all other parties either join or do not oppose the request. The commission will grant such a request unless it is inconsistent with the public interest or the commission's administrative needs.

The Commission finds that good cause exists to continue the deadline to submit settlement materials to afford the parties additional time to potentially resolve this matter without adjudication, a continuance will not result in prejudice, and a continuance is not inconsistent with the Commission's administrative needs or the public interest. However, as a 30-day continuance would place the deadline to file materials on August 10, 2025, a Sunday, the Commission will grant a continuance to the next business day, August 11, 2025.

Consequently, the Commission grants the parties' requested continuance, subject to the modification discussed above, and requires the parties to file a settlement agreement and supporting documentation or a status report regarding their potential settlement no later than Monday, August 11, 2025.

THE COMMISSION GIVES NOTICE That the parties must file either a settlement agreement and supporting documentation or a status report of their negotiations by August 11, 2025.

/s/ Harry Fukano

HARRY FUKANO

Administrative Law Judge