

June 12, 2002

NOTICE OF MODIFICATION OF PROCEDURAL SCHEDULE

RE: Burlington Northern and Santa Fe Railway Company v. City of Sprague
Docket No. TR-010684

TO ALL PARTIES OF RECORD:

On June 10, 2002, the City of Sprague, joined by BNSF, requested an extension of the procedural schedule to accommodate the City's need to review a flood control feasibility study being done by the US Army Corps of Engineers that might have the effect of relocating the entire city out of the flood plain. The parties request that the evidentiary hearing now be held on September 18 and 19, 2002.

The Commission notes that this is the second adjournment of this proceeding, but finds that good cause is shown and that it is consistent with the public interest to modify the procedural schedule as proposed. In keeping with the changed evidentiary hearing dates, the second prehearing conference, previously scheduled for July 15, 2002, will now take place telephonically on September 16, 2002 at 1:30 pm.

The parties should be advised that future requests for adjournment may not be granted.

Accordingly, the procedural schedule is modified as follows:

Second prehearing conference (telephonic)	September 16, 2002 (1:30 p.m.)
Evidentiary hearing (Sprague, Washington)	September 18, 2002 (9:30 a.m. – 5:30 p.m.) September 19, 2002 (9:30 a.m. – 5:30 p.m.) (if needed)
Public hearing (Sprague, Washington)	September 18, 2002 (6:30 p.m. – 8:30 p.m.)

Sincerely,

THEODORA M. MACE
Administrative Law Judge

[Notice served on June 13, 2002]