



STATE OF WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION

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September 25, 2019

NOTICE SUSPENDING PROCEDURAL SCHEDULE;

**NOTICE CANCELING EVIDENTIARY HEARING
AND PUBLIC COMMENT HEARING**

and

NOTICE REQUIRING FILING OF STATUS UPDATES

RE: *Clark County v. BNSF Railway Company, Docket TR-190228*

TO ALL PARTIES:

On April 2, 2019, Clark County filed with the Washington Utilities and Transportation Commission (Commission) a Petition for Installation of Median Barriers at a Highway-Rail Grade Crossing (Petition). The Petition seeks to install median barriers at the crossing at NW 122 Street, Vancouver, Washington.

On July 18, 2019, the Commission entered Order 01, Prehearing Conference Order; Notice of Hearing (Order 01), which established a procedural schedule including, among other things, evidentiary and public comment hearings set for February 26, 2020.

On September 25, 2019, Clark County filed a letter informing the Commission that Clark County and BNSF Railway Company (together, the Parties) held a productive settlement conference and believe that a negotiated settlement is possible. In its letter, Clark County states that the Parties need additional time to determine whether an agreement can be reached. The Parties request that the Commission suspend the procedural schedule to allow time for their negotiations.

The Commission finds good cause to suspend the procedural schedule and therefore grants the Parties' request. To keep the Commission apprised of the Parties' progress, the Parties must file a report on the status of their negotiations every 30 days, beginning on October 25, 2019.

THE COMMISSION GIVES NOTICE That the procedural schedule in this matter is suspended.

THE COMMISSION GIVES FURTHER NOTICE That both the evidentiary hearing and the public comment hearing scheduled for February 26, 2020, are canceled.

THE COMMISSION GIVES FURTHER NOTICE That the Parties must file a report on the status of the settlement negotiations every 30 days. The first report is due by 5 p.m. on October 25, 2019.

/s/ Rayne Pearson
RAYNE PEARSON
Administrative Law Judge