

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

CITY OF SPOKANE VALLEY,

Petitioner,

v.

UNION PACIFIC RAILROAD,

Respondent.

DOCKET TR-111033

PETITIONER'S SECOND 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.

Spokane Valley'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. 662 519S. Spokane Valley and Respondent Union Pacific Railroad ("UPRR") have reached agreement as to the improvements and modifications to be performed at the crossing and are negotiating the terms of an agreement under which UPRR will perform the improvements and invoice the City for them.

This modification will allow Spokane Valley and UPRR to avoid unnecessary time and expense associated with preparing testimony and exhibits.

The final agreement requires approval by the Spokane Valley City Council, a process that requires a minimum of three weeks. Giving consideration to time necessary for the parties to negotiate an agreement, a second 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 counsel for the UTC and neither has any objection to this request.

DATED this 1st day of February, 2012.

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 Pre-filed Direct Testimony and Exhibits	February 3, 2012	March 16, 2012
Union Pacific Railroad and Commission Staff Pre-filed Responsive Testimony and Exhibits	April 6, 2012	May 18, 2012
City of Spokane Valley Pre-filed Rebuttal Testimony and Exhibits and Union Pacific Railroad and Commission Staff Prefiled Cross-Answering Testimony and Exhibits	May 11, 2012	June 22, 2012
Hearing	June 13, 2012	July 25, 2012

CERTIFICATE OF SERVICE

I hereby certify that a true copy of the foregoing Petitioner's Second 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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Honorable Marguerite E. Friedlander
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DATED this 1st day of February, 2012, at Seattle, Washington.



SUSAN K. MATHEWS