

[Service Date October 4, 2012]

October 4, 2012

**NOTICE GRANTING MOTION FOR CONTINUANCE
OF FILING DEADLINES FOR WITNESS TESTIMONY**

Re: *City of Auburn v. Gates, Gates, Gates LLC; Mohawk Northern Plastics, LLC d/b/a AMPAC; and BNSF Railway Company*, Docket TR-120828

TO ALL PARTIES:

On August 23, 2012, the Washington Utilities and Transportation Commission (Commission) issued Order 01 – Prehearing Conference Order in the above-referenced docket establishing a procedural schedule.

On September 28, 2012, the City of Auburn electronically submitted to the Commission, on behalf of all parties, a Stipulated Motion to Amend Prehearing Conference Order. The City of Auburn filed the required paper copy of the motion on October 3, 2012.

The City’s motion seeks to extend by two weeks the deadlines originally established for the filing of the first two rounds of testimony. The City of Auburn explains that this will facilitate ongoing settlement discussions between the parties and avoid the time and expense associated with preparing testimony while those negotiations continue. All parties stipulate to the requested continuance of these two deadlines.

The Commission finds that the parties have demonstrated good cause to continue these filing deadlines and grants the request as follows:

Event	Prior Deadline	New Deadline
Petitioner (City of Auburn) Prefiled Direct Testimony	October 5, 2012	October 19, 2012
Respondents and Staff Prefiled Responsive Testimony	December 14, 2012	December 28, 2012
All Parties Prefiled Rebuttal/Cross-Answer Testimony	January 14, 2013	No Change
Evidentiary Hearing / Public Hearing	February 12, 2013	No Change

PLEASE TAKE NOTICE That the Commission grants the City of Auburn's stipulated motion for extension of certain filing deadlines and adopts the revised procedural schedule as indicated above.

ADAM E. TOREM
Administrative Law Judge