

[Service Date November 19, 2009]

November 19, 2009

**NOTICE OF TELEPHONIC STATUS CONFERENCE
(Status Conference Scheduled for December 2, 2009)**

RE: *Meeker Southern Railroad v. Pierce County Public Works and Utilities*
Docket TR-081407

TO ALL PARTIES OF RECORD:

By Order 03, Order Granting Continuance and Modifying Procedural Schedule, entered on August 3, 2009, the Washington Utilities and Transportation Commission (Commission) granted the request of Meeker Southern Railroad (Meeker) for a continuance of the procedural schedule to engage in settlement negotiations. On September 10, 2009, all parties participated in a telephonic conference with the presiding officer during which Meeker and Pierce County Public Works and Utilities stated that they had reached an agreement, in principle, based on Meeker filing a modified petition incorporating an active warning system and the results of a new traffic study.

On September 16, 2009, Meeker filed a request to vacate the procedural schedule because the parties had reached an agreement in principle and additional time would allow the parties to work on resolving remaining details. By Notice issued September 18, 2009, the Commission vacated the remainder of the procedural schedule in this case.

Two months have transpired since the Commission vacated the procedural schedule and Meeker has not yet filed a modified petition. Therefore, the Commission concludes that a status conference should be convened. The purpose of the status

conference is to discuss when Meeker will file its modified petition or, in the alternative, if Meeker does not intend to pursue Commission approval for the petition as-filed, whether the Commission should enter an order dismissing the current petition, without prejudice.

NOTICE IS HEREBY GIVEN That a telephonic status conference is scheduled to convene at 10:00 a.m., December 2, 2009. Parties may participate in this status conference by calling the Commission's bridge line at **(360) 664-3846**. If parties wish to attend the status conference in person, the status conference will convene in Room 108, Richard Hemstad Building, 1300 S. Evergreen Park Drive SW, Olympia, Washington.

Sincerely,

PATRICIA CLARK
Administrative Law Judge