

October 18, 2012

Washington Utilities and
Transportation Commission
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STATE OF WASH
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RE: Docket No. TR-~~12028~~, City of Auburn v. Gates, Gates, Gate LLC et al.
Second Agreed Request for Continuance of Filing Deadlines for Witness
Testimony

(E-file conf # 7396)

Dear Clerk:

Enclosed is the Parties' Second Agreed Request for Continuance of Filing Deadlines for Witness Testimony. If you have any questions, I can be reached at 253 804.5027 (voice), 253 931.4007 (fax), or sgross@auburnwa.gov.

Very truly yours,



Steven L. Gross
Assistant City Attorney

Encl.

cc: Michael A. Fassio
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Utilities and Transportation Division
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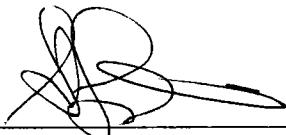
1 parties not being able to fully complete their negotiations, and prevented a more timely
2 request for continuance.

3 All parties continue to negotiate in good faith, and request a two-week
4 extension of some of the filing deadlines in order to facilitate negotiations.


5 The parties propose that Petitioner file direct testimony on November 2, 2012 ,
6 Respondents and Staff file testimony on January 7, 2013, and rebuttal testimony to be
7 filed on January 18, 2013. The hearing date will remain unchanged..
8

9
10 Dated this 17th day of October, 2012.

11 (Note: Respondents and staff have authorized Petitioner to sign this motion on their
12 behalf).

13 

14 Daniel B. Heid, WSBA #8217
15 Steven L. Gross, WSBA #24658
16 Attorneys for Petitioner, City of Auburn

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18 Michael A. Fassio, WSBA #37139
19 Attorney for Utilities and Transportation
20 Commission Staff

21 

22 Tom Montgomery, WSBA #19998
23 Kelsey Endres, WSBA #39409
24 Attorneys for BNSF Railways

25 

26 (Mr. Casey was unavailable. Mr. Gates,
27 President of Gates, Gates, Gates LLC
authorized signature)

John M. Casey, WSBA #24187
Attorney for Gates, Gates and Gates

28 

29 Joseph B. Genster, WSBA #14968
30 Attorney for Mohawk Plastics, LLC