

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

CHELAN COUNTY,)	
)	DOCKET TR-061442
)	
Petitioner,)	ORDER 03
)	
v.)	PREHEARING CONFERENCE
)	ORDER;
THE BURLINGTON NORTHERN)	
SANTA FE RAILWAY COMPANY,)	NOTICE OF HEARING
)	(Evidentiary hearing or oral
Respondent.)	argument set for May 16, 2008, at
)	9:30 a.m.)
)	
.....)	

1 **NATURE OF PROCEEDING.** Docket TR-061442 involves Chelan County’s petition to allow the alteration and relocation of a highway-rail under-crossing on Chumstick Highway in Chelan County, Washington.

2 **CONFERENCE.** The Washington Utilities and Transportation Commission (Commission) convened a second prehearing conference in this docket at Olympia, Washington on November 9, 2007, before Administrative Law Judge Theodora M. Mace.

3 **APPEARANCES.** Louis Chernak, Deputy Prosecuting Attorney, Wenatchee, represents petitioner Chelan County (Chelan). Bradley Scarp, attorney, Seattle, represents Burlington Northern Santa Fe Railway Company (BNSF). Jonathan Thompson, Assistant Attorney General, Olympia, represents the Commission’s regulatory staff (Commission Staff or Staff).

4 **PROCEDURAL SCHEDULE.** The parties agreed on a revised procedural schedule during the conference. The Commission adopts this procedural schedule, which is attached to this Order in Appendix A, and is set forth below:

March 3, 2008	Chelan files direct testimony
March 31, 2008	BNSF files response testimony
April 21, 2008	Chelan files rebuttal testimony
May 16, 2008	Evidentiary hearing or oral argument – Leavenworth City Hall, to be arranged by Chelan
June 16, 2008	Post hearing briefs

5 **NOTICE OF HEARING.** Evidentiary hearing or oral argument is set for **May 16, 2008, 9:30 a.m. at Leavenworth City Hall, Leavenworth, Washington**, to be arranged by Chelan. Chelan will provide further information about the location of the hearing.

6 **NOTICE TO PARTIES:** A party who objects to any portion of this Order must file a written objection within ten (10) calendar days after the service date of this Order, pursuant to WAC 480-07-430 and WAC 480-07-810. The service date appears on the first page of the order in the upper right-hand corner. Absent such objection, this Order will control further proceedings in this matter, subject to Commission review.

Dated at Olympia, Washington, and effective November 9, 2007.

WASHINGTON STATE UTILITIES AND TRANSPORTATION COMMISSION

THEODORA M. MACE
Administrative Law Judge

**APPENDIX A
PROCEDURAL SCHEDULE
DOCKET TR-061442**

EVENT	DATE	INTERVAL
Second prehearing conference	November 9, 2007	
Chelan files direct testimony	March 3, 2008	112 days
BNSF files response testimony	March 31, 2008	28 days
Chelan files rebuttal testimony	April 21, 2008	21 days
Hearing	May 16, 2008	25 days
Post hearing briefs	June 16, 2008	30 days