



STATE OF WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION

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June 10, 2025

**NOTICE CANCELING HEARING, SUSPENDING PROCEDURAL SCHEDULE, AND
REQUIRING FILING OF SETTLEMENT DOCUMENTS OR STATUS UPDATE**

RE: *City of Olympia v. Union Pacific Railroad Company,*
TR-240783 and TR-240793 (*Consolidated*)

TO ALL PARTIES:

On October 21, 2024, the City of Olympia filed with the Washington Utilities and Transportation Commission (Commission) a petition to modify a highway-rail grade crossing, USDOT Crossing Number 807857V. The matter was filed under Docket TR-240783. On October 23, 2024, the City of Olympia filed with the Commission a petition to modify a highway-rail grade crossing, USDOT Crossing Number 807853T. The matter was filed under Docket TR-240793. On November 12, 2024, Union Pacific Railroad Company (UPRR) filed with the Commission two letters opposing the petitions filed in Dockets TR-240783 and TR-240793.

On January 22, 2025, the Commission issued Order 01 Order of Consolidation and Notice of Prehearing Conference (Order 01), which consolidated Dockets TR-240783 and TR-240793 as well as set a prehearing conference in the newly consolidated dockets for February 25, 2025, at 9:30 a.m.

On March 17, 2025, The Commission issued Order 02 Prehearing Conference Order; Notice of Hearing (Order 02), which among other things, established a procedural schedule and set an evidentiary hearing for Wednesday, June 11, 2025, at 9:30 a.m.

On June 10, 2025, the parties emailed the presiding officer indicating that they may be able to settle the case without adjudication and requested a continuance or suspension of the procedural schedule set in this matter. The parties further requested that the Commission cancel the evidentiary hearing set for Wednesday, June 11, 2025, at 9:30 a.m., as part of continuing or suspending the procedural schedule.

Washington Administrative Code (WAC) 480-07-385(2)(b) provides: “A party may request that the commission suspend the procedural schedule through a letter or email to the presiding administrative law judge if the party accurately represents that all other parties either join or do not oppose the request. The commission will grant such a request unless it is inconsistent with the public interest or the commission's administrative needs.” The Commission finds that good cause exists to suspend the procedural schedule previously established in this matter to afford the parties additional time to potentially resolve this matter without adjudication and that suspension is not inconsistent with the Commission’s administrative needs.

Although WAC 480-07-385(3)(c) states that “[a] party should request that the commission suspend the procedural schedule at least five business days prior to the next scheduled deadline in that schedule,” for the same reasons identified above, the Commission finds good cause to grant an exemption to this rule pursuant to WAC 480-07-110(1).

Consequently, the Commission cancels the evidentiary hearing set for Wednesday, June 11, 2025, suspends the procedural schedule previously established in this matter, and requires the parties to file a settlement agreement and supporting documentation or a status report regarding their potential settlement by no later than Friday, July 11, 2025.

THE COMMISSION GIVES NOTICE That the evidentiary hearing scheduled for Wednesday, June 11, 2025, at 9:30 a.m., in this matter is canceled.

THE COMMISSION GIVES FURTHER NOTICE That the procedural schedule established in Order 02 is suspended and that the parties must file either a settlement agreement and supporting documentation or a status report of their negotiations by July 11, 2025.

/s/ Harry Fukano

HARRY FUKANO

Administrative Law Judge