

Regulating Idaho's Railroads

More than 900 miles of railroad track in Idaho have been abandoned since 1976. Rail line abandonments are governed by federal law, with the federal Surface Transportation Board deciding the final outcome of abandonment applications. Under Idaho law, however, after a railroad files its federal notice of intent to abandon, the IPUC must determine whether the proposed abandonment would adversely affect the public interest. The commission then reports its findings to the STB.

In reaching a conclusion, the commission considers whether abandonment would adversely affect the service area, impair market access or access of Idaho communities to vital goods and services, and whether the line has a potential for profitability.

The Idaho Public Utilities Commission also conducts inspections of Idaho's railroads to determine compliance with state and federal laws, rules and regulations concerning the transportation of hazardous materials, locomotive cab safety and sanitation rules, and railroad - highway grade crossings.

Hazardous material inspections are conducted in rail yards and at shipping facilities. In 1994, Idaho was invited to participate in the Federal Railroad Administration's State Participation Program. IPUC has a State Program Manager and one FRA certified hazardous material inspector.

Since 1997, the IPUC has been working with railroads, labor unions, and the FRA to improve locomotive cab working conditions. This includes random inspections to determine overall cab cleanliness, sanitation facilities, first aid requirements and the availability of fresh cold drinking water.

The IPUC inspects railroad-highway grade crossings where incidents occur, investigates citizen complaints of unsafe or rough crossings and conducts railroad crossing surveys.

Railroad Activity Summary 2004

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|---------------------------------|------|
| Tank Cars Inspected | 1488 |
| Freight Cars Inspected | 236 |
| Trains Inspected | 58 |
| Defects Disclosed | 232 |
| Violation Reports to FRA | 66 |
| Crossing Accidents Investigated | 9 |
| Crossing Complaints | 43 |
| Crossings Inspected | 44 |
| Locomotives Inspected | 47 |
| Locomotives with Deficiencies | 1 |

Operation Lifesaver

Idaho Operation Lifesaver is a non profit state organization that is dedicated to increasing public awareness of the potential dangers that exist at highway-rail grade crossings and around trains in general.

Volunteers from various sponsoring groups and other interested individuals staff the organization. Volunteer staff members talk to about 130,000 people each year at presentations and safety booths. Because of the IPUC's railroad safety oversight, it has taken a leading role in sponsoring and supporting Operation Lifesaver. IPUC staff members participate by making presentations to groups, manning safety booths and serving on the board and various committees.

It is the intent of the program to achieve its goal by using:

Education – Educate the public about trains by providing safety presentations and by operating informational booths.

Engineering – Work with government entities, businesses and railroads to improve highway/rail intersections.

Enforcement – Work with law enforcement agencies and railroads to enforce traffic laws pertaining to highway/rail intersections.

Railroads In Idaho

Palouse River Railroad
709 N. 10th Street
Walla Walla, Washington 99362
509/522-1464
Idaho Track Miles: 2

Burlington Northern Railroad
176 East 5th Street
St. Paul, Minnesota 55101
208/263-2016
Idaho Track Miles: 194

Camas Prairie Railnet
325 Mill Road
Lewiston, Idaho 83501
208/798-8393
Idaho Track Miles: 174

Eastern Idaho Railroad
618 Shoshone Street West
Twin Falls, Idaho 83301
208/733-4686
Idaho Track Miles: 267

Idaho Northern & Pacific
P.O.Box 715
Emmett, Idaho 83617
208/365-6353
Idaho Track Miles: 102

Montana Rail Link
P.O.Box 8779
Missoula, Montana 59807
406/523-1500
Idaho Track Miles: 34

St. Maries River Railroad
318 North 10th Street
St. Maries, Idaho 83861
208/245-4531
Idaho Track Miles: 71

Union Pacific Railroad
1416 Dodge Street
Omaha, Nebraska 68179
208/343-1771
Idaho Track Miles: 1,096

Consumer Assistance

The Consumer Assistance Staff responded to 4,158 consumer complaints, comments or inquiries in calendar year 2003, of which 85 percent were from residential customers. About 54 percent of the contacts with the commission concerned telecommunications companies. Thirty-nine percent of those telecommunications contacts involved Qwest Communications.six

About 29 percent of the commission's 4,158 consumer assistance contacts involved energy utilities, 57 percent of those about Idaho Power Company. Four percent of all contacts concerned water utilities and 13 percent were not related to a specific regulated utility.

Four percent of the commission's contacts concerned service quality problems; 22 percent concerned utility rates and policies and 5 percent involved unauthorized carrier switching.

Other categories included: credit and collection issues, 22 percent; disputed billings, 24 percent; line extensions or service upgrades, 3 percent; and miscellaneous, 20 percent.

While dispute resolution remains an important task, it is hoped that by working with consumer groups, social service agencies, and utilities, persistent causes of consumer difficulties can be identified and addressed.

Consumer complaints present an opportunity for utilities and the commission to learn the effect of utility practices and policies on people. For example, the unintentional and perhaps unfair impact of a rule or regulation might be discovered in the course of investigating a complaint. In such cases an informal, negotiated remedy may not be possible, and formal action by the commission would be required. The Consumer Assistance Staff's participation in formal rate and policy cases before the commission is the primary method used to address these issues.

The Consumer Assistance Staff is able to respond to many consumer contacts without extensive investigation, however 55 percent of consumer contacts required investigation by the staff. About 57 percent of investigations resulted in reversal or modification of the utilities' original action.

Toll Free Complaint Line

The commission, in January 1992, established a toll-free "800" telephone line for receiving utility complaints and inquiries from consumers outside the Boise area. The toll-free line **(1-800-432-0369)** is reserved for inquiries and complaints concerning utilities.

Consumers may also file a complaint electronically via the commission's Website at www.puc.state.id.us. Although the majority of customers still contact the PUC via telephone, 5 percent contacted us through our Website to ask a question or file a complaint.