

MEMORANDUM

10/11/2000

To: TR-981102 (Railroad Operations Rulemaking) file

From: Ahmer Nizam

Subject: Comments received from Union Pacific Railroad

On October 9, 2000, Carolyn Larson (attorney from Kilmer, Voorhees, & Laurick representing Union Pacific Railroad) called me at 1:45 PM to discuss the draft railroad operations rules. Her concern was over WAC 480-62-X3.4 Miscellaneous reporting requirements, specifically section (2) that states, "Upon request, every railroad company must report to the commission the number of daytime through trains, nighttime through trains, and switching movements over each grade crossing in its control." Ms. Larson stated that, since there are very few scheduled train operations, there are no specified nighttime or daytime train schedules but rather one or the other, depending on when a shipment is ready to go. Because of this, it may be impossible to accurately do this.

I explained to Ms. Larson that this information is crucial in keeping a standard inventory of crossings, assessing exposure at the crossing (i.e. train volumes/day X vehicle traffic volumes/day), and in running accident prediction models. This information is needed to assess the level of safety at each crossing and whether the warning system needs to be improved.

Mike Rowswell also responded to her comment by telephone approximately 20 minutes after her call to me. Mr. Rowswell explained that we were not looking for a system wide report of these operations, but we want to be able to request this information from the different train masters along UP lines and that the train masters understand that they have to supply this information to commission staff.