



December 13, 2000

Ms. Carole J. Washburn, Secretary
Utilities and Transportation Commission
1300 East Evergreen Park Drive S.W.
Post Office Box 47250
Olympia, WA 98504-7250

RE: Train Speed
Docket No. TR-981102

Dear Ms. Washburn:

The National Railroad Passenger Corporation (“Amtrak”) is the entity established pursuant to federal law that operates intercity rail passenger service throughout the United States for the benefit of the traveling public. Amtrak operates its passenger trains on rail lines in the State of Washington that are owned by other railroads, and we have a fundamental interest in any action that might cause unnecessary reduction in the speed of our trains.

Amtrak has reviewed the comments of the Washington State Department of Transportation, of the Burlington Northern and Santa Fe Railway Company, and of the Union Pacific Railroad. We generally concur with those comments with respect to the Commission’s jurisdiction over railroad speeds. We believe that it should be clear that the Commission does not have jurisdiction to establish speed restriction unless such a restriction is shown to be necessary to deal with a specific local safety hazard and does not unreasonably burden interstate commerce. While concern has been expressed by other commenters that the proposed regulations may require interested parties to seek modifications in speed restrictions set by the Commission that are no longer valid, we are certain that is not the intention of this Commission. It may be desirable, in light of the comments that have been made, for the Commission to make it clear that only valid speed restrictions that have been established by the Commission would be subject to a petition for modification.

The proposed regulations provide for the Commission to serve copies of any petition on certain interested parties, including the railroad company which owns the track and certain governmental entities. Amtrak requests that it be served with a copy of any such petition that affects trackage on which Amtrak trains are operated. Such notice should be served on Amtrak at the following address:

Secretary
National Railroad Passenger Corporation
60 Massachusetts Avenue, N.E.
Washington, D.C. 20002

Amtrak appreciates the Commission's attention to our views in this proceeding. Please provide me with copies of any further orders served by the Commission in this docket.

Sincerely,

Frederick C. Ohly
Senior Associate General Counsel

FCO/sdj

cc: James H. Slakey – Washington DOT
Ken Uznanski – Washington DOT
David Reeve – BNSF
Carolyn L. Larson – UP