

**BEFORE THE WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION**

In the Matter of the Petition of

HINRICHS TRADING COMPANY,

Petitioner,

Seeking Exemption from the Provisions
of WAC 480-60-050 Relating to Side
Clearances

DOCKET TR-190941

ORDER 02

AMENDING ORDER 01

BACKGROUND

- 1 On November 12, 2019, Hinrichs Trading Company (Hinrichs or Company) filed with the Washington Utilities and Transportation Commission (Commission) a petition (Petition) requesting an exemption for its facility in Othello from WAC 480-60-050, which requires railroad companies to maintain a side clearance of at least 8 feet 6 inches from the center of the track to the nearest structure.
- 2 On February 5, 2019, the Commission entered Order 01 granting the Petition subject to the condition that Hinrichs post a sign indicating “No Clearance” on the north side of the concrete loading dock facing approaching rail traffic. In addition, the Columbia Basin Railway Company was required to post notice of the restricted clearance in its general order and include it in its next timetable revision.
- 3 On November 2, 2021, Hinrichs contacted Commission staff (Staff), explaining that on June 1, 2021, the Company was purchased by, and now operates as a subsidiary of, Ardent Mills, LLC. Further, Hinrichs requested that the exemption granted in Order 01 be transferred to the new parent company, Ardent Mills, LLC. Conditions at the facility remain the same.
- 4 Staff recommends the Commission amend Order 01 to modify the petitioner’s name from Hinrichs Trading Company to Ardent Mills, LLC. Staff further recommends that the other conditions specified in Order 01 remain the same.

DISCUSSION

5 We agree with Staff's recommendation. Because this is a non-material change to a
Commission Order, amending Order 01 is both appropriate and reasonable because of the
change in facility ownership. Accordingly, the Commission amends Order 01 by
changing the Company name from Hinrichs Trading Company to Ardent Mills, LLC.
Additionally, all conditions stated in Order 01 apply to Ardent Mill, LLC.

FINDINGS AND CONCLUSIONS

- 6 (1) The Commission is an agency of the State of Washington vested by statute with
the authority to regulate the rules, regulations and practices of public service
companies, including railroad companies, within the state of Washington.¹
- 7 (2) Staff investigated the previous exemption of WAC 480-60-050 granted to
Hinrichs Trading Company and recommends that the Order be amended to reflect
current facility ownership.
- 8 (3) This matter came before the Commission at its regularly scheduled meeting on
December 23, 2021.
- 9 (4) After giving consideration to all relevant matters and for good cause shown, the
Commission finds that amending the previous Order is in the public interest.

ORDER

THE COMMISSION ORDERS THAT Order 01 in this docket, which granted a
permanent exemption from the clearance requirements in WAC 480-60-050 to Hinrichs
Trading Company, is amended as follows:

- 10 (1) All references to Hinrichs Trading Company are changed to Ardent Mills, LLC.
All other terms and conditions specified in in Order 01 remain the same.

The Commissioners, having determined this Order to be consistent with the public
interest, directed the Secretary to enter this Order.

¹ Chapter 80.01.040 RCW, Chapter 81.01 RCW, Chapter 81.04 RCW, and Chapter 81.53 RCW.

DATED at Lacey, Washington, and effective December 23, 2021.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

AMANDA MAXWELL
Executive Director and Secretary