



**STATE OF WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION**

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May 6, 2021

**NOTICE OF OPPORTUNITY TO FILE WRITTEN COMMENTS
(By Monday, June 7, 2021)**

and

**NOTICE OF OPPORTUNITY TO RESPOND
TO SMALL BUSINESS ECONOMIC IMPACT STATEMENT (SBEIS)
QUESTIONNAIRE
(Due by Monday, June 7, 2021)**

Re: Rulemaking pertaining to the establishment of minimum crew sizes on certain trains,
Docket TR-200536.

TO ALL INTERESTED PERSONS:

On July 20, 2020, the Washington Utilities and Transportation Commission (Commission) filed with the Code Reviser a Preproposal Statement of Inquiry (CR-101) for a rulemaking to implement House Bill 1841 (HB 1841), Laws of 2020, Chapter 170, which pertains to the establishment of minimum crew sizes on certain trains. Commission staff has prepared a set of draft rules related to minimum crew size requirements on certain trains and now invites stakeholders to provide feedback on those draft rules. The draft rules are posted on the Commission's website at <http://www.utc.wa.gov/200536>.

COMMENTS ON DRAFT RULES

Written comments on the draft rules must be filed with the Commission **no later than (Monday, June 7, 2021)**.

RESPONSES TO SMALL BUSINESS ECONOMIC IMPACT QUESTIONNAIRE

In addition to comments on the draft rules, the Commission requests that companies that would be affected by the minimum crew size draft rules offer information concerning whether those rules create additional costs for their company. The cost information provided concerning these draft rules assists the Commission while it prepares a Small Business Economic Impact Statement (SBEIS) and assesses the possible costs of the rules.

Washington's Regulatory Fairness Act, chapter 19.85 RCW, is intended to focus an agency's attention on the economic impact of proposed rules on affected businesses, involve affected businesses in developing rules, and minimize any disproportionate impact of the rules on small businesses.

Before adopting a rule that will impose more than minor costs on an industry, the Commission must analyze the compliance costs for **both large and small** businesses (including lost sales or revenue), involve small businesses in the development of the rule, take feasible steps to reduce the economic impact of the rule on small businesses, and prepare an SBEIS. A "small business" is any profit-making entity that has 50 or fewer employees.

The Commission requests that interested stakeholders submit to the Commission **no later than 5 pm on Monday, June 7, 2021**, their analysis of whether the draft rules impose a cost impact on the company. Please be sure to include your company name, company contact person, contact phone number, company email address, and the number of people your company employs. For each draft rule for which you identify a cost impact, please provide, at a minimum, the following information:

1. Identify the rule number, i.e., WAC 480-62-XXX, of the draft proposed rule that you identify as having a cost impact.
2. Identify whether there is any change from the current rule to the draft proposed rule that creates an **additional** cost impact on the company.
3. Explain why there will be a cost impact on the company.
4. Provide a detailed analysis of how you calculated the cost impact of each draft rule you identify as having a cost impact.
5. Identify any draft proposed rule that may create a cost savings to the company compared to the current rule.

FILING REQUIREMENTS

Pursuant to WAC 480-07-250, written comments on draft rules and responses to the SBEIS questionnaire must be submitted to the Commission in electronic form. As provided in WAC 480-07-140(5), you must submit those responses via the Commission's web portal at www.utc.wa.gov/e-filing. If you are unable to submit documents via the portal, you may submit them via email to the Commission's Records Center at records@utc.wa.gov or by mailing or delivering an electronic copy to the Commission's Records Center on a flash drive, DVD, or compact disc that includes the filed document(s). Submissions should include:

- The docket numbers of this proceeding (Docket TR-200536).
- The commenting party's name.
- The title and date of the comment or comments.

The Commission will post all written comments and responses to the SBEIS on its website at <http://www.utc.wa.gov/200536>.

If you have questions regarding this rulemaking, you may contact Staff, Betty Young, by email at betty.young@utc.wa.gov.

MARK L. JOHNSON
Executive Director and Secretary