

[Service Date February 20, 2004]

February 20, 2004

**OPPORTUNITY TO SUBMIT WRITTEN COMMENTS ON PROPOSED  
RULES  
(Wednesday, March 10, 2004)  
and  
NOTICE OF PROPOSED RULE ADOPTION HEARING  
(Wednesday, April 28, 2004)**

RE: Remote Control Locomotive (RCL) Operations Rulemaking  
Docket No. TR-021465

TO ALL INTERESTED PERSONS:

This letter is to inform you of the progress made toward rulemaking relating to remote control locomotive (RCL) operations, and provides notice of an opportunity to file written comments on the proposed rules and participate in the formal rule adoption hearing.

At the Commission's January 28, 2004, open meeting, the Commission considered alternative proposals for amendments to WAC 480-62-320. One proposal included two subsections that addressed protection of the point of movement of remote-controlled trains at grade crossings and where trains can enter mainline tracks. The alternative proposal limited amendments to WAC 480-62-320 to clarifying and amending reporting requirements, adding definitions to WAC 480-62-125, and proceeding with a new rulemaking docket to address point protection issues generally. Since that meeting, the Commission has chosen to proceed with the alternative proposal, limited amendments to WAC 480-62-320 and WAC 480-62-125, and initiating a new rulemaking addressing point protection issues generally.

On February 18, 2004, the Commission filed a Notice of Proposed Rulemaking (CR-102) in this docket with the Code Reviser. This action begins the final part of the rulemaking process, which includes a written comment period, a public adoption hearing, and a decision by the Commission.

**NOTICE is hereby given of the opportunity to submit written comments on the proposed rules to the Commission by filing with the Commission Secretary either by electronic transmission as described below, or by physical delivery to 1300 S. Evergreen Park Drive S.W., P.O. Box 47250, Olympia, Washington, 98504-7250, no later than 5:00 p.m., Wednesday, March 10, 2004. The draft rules, as filed with the Code Reviser, are available for inspection on the Commission's web site at [www.wutc.wa.gov/021465](http://www.wutc.wa.gov/021465). The Commission will send you a paper copy of the draft rules or will send the proposal via electronic mail, if you ask.**

**Electronic copies.** The Commission requests that comments be provided in electronic format to enhance public access, for ease of providing comments, to reduce the need for paper copies, and to facilitate quotations from the comments. Comments may be submitted by electronic mail to the Commission's Records Center at [records@wutc.wa.gov](mailto:records@wutc.wa.gov). Please include:

- The docket number of this proceeding (TR-021465)
- The commenting party's name
- The title and date of the comment or comments

An alternative method for submitting comments may be by mailing/delivering an electronic copy on a 3 ½ inch, IBM-formatted, high density disk, in .pdf Adobe Acrobat format or in Word 97 or later. Include all of the information requested above. The Commission will post on the Commission's web site all comments that are provided in electronic format. The web site is located at <http://www.wutc.wa.gov/021465>. If you are unable to file you comments electronically or to submit them on a disk, the Commission will always accept a paper document.

**NOTICE is also hereby given of the opportunity to attend the public hearing and make oral comments about the proposal for the adoption of the proposed rules at 9:30 a.m., Wednesday, April 28, 2004. This public hearing will be held**

**in the Commission's Hearing Room, Second Floor, Chandler Plaza, 1300 S. Evergreen Park Drive, S.W., Olympia, Washington.**

Questions: If you have questions about this Notice, about the rulemaking process, or this rulemaking in particular, you may contact Mike Rowswell. He may be reached by mail at the address on this Notice, or by e-mail at [mrowswel@wutc.wa.gov](mailto:mrowswel@wutc.wa.gov) or by calling 360-664-1265.

Sincerely,

CAROLE J. WASHBURN  
Executive Secretary