



STATE OF WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION
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November 20, 2017

**NOTICE OF OPPORTUNITY TO RESPOND TO SMALL BUSINESS ECONOMIC
IMPACT STATEMENT (SBEIS) QUESTIONNAIRE
(Due by Friday, December 22, 2017)**

Re: Rulemaking to implement Engrossed Substitute House Bill (ESHB) 1105, which was passed by the legislature, Docket TR-170780

TO ALL INTERESTED PERSONS:

Commission staff prepared a set of draft rules that will establish regulations related to the operations of contract railroad crew transportation and contract crew transportation vehicles. The draft rules are posted on the Commission's website at www.utc.wa.gov/170780.

Responses to SBEIS Questionnaire. The Commission requests that companies that provide or will provide contract railroad crew transportation offer information concerning whether the draft rules developed by Commission staff in Docket TR-170780 create additional costs for your company. The cost information you provide 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 5:00 pm on Friday, December 22, 2017**, 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 480-6X-XXX4, 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 (however, do not identify the cost of complying with a rule in which the only change is that it was moved from one section of the WAC to another);
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; and
5. Identify any draft proposed rule that may create a cost savings to the company compared to the current rule.

Pursuant to WAC 480-07-250, responses to the SBEIS questionnaire must be submitted to the Commission in electronic format, specifically in .pdf format (using Adobe Acrobat or similar software). 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 thumb drive, CD, or DVD. Please include:

- The docket numbers of this proceeding (Docket TR-170780).
- The commenting party's name.
- The title and date of the comment or comments.

The Commission will post all responses and other comments on its website at www.utc.wa.gov/170780.

If you have questions regarding this rulemaking, you may contact staff lead Mathew Perkinson at mperkinson@utc.wa.gov, or by phone at (360) 664-1236.

Sincerely,

STEVE KING
Executive Director and Secretary