

BEFORE THE WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

IN THE MATTER OF THE APPLICATION OF)
UNION PACIFIC RAILROAD COMPANY, A DELAWARE)
CORPORATION, FOR AN ORDER GRANTING AN) CASE NO.
EXEMPTION FROM A REQUIREMENT OF)
WAC 480-62-305(1))

Union Pacific Railroad Company (“Union Pacific”) hereby submits this application for an order from the Washington Utilities and Transportation Commission (“Commission”) granting Union Pacific an exemption from a requirement of WAC 480-62-305(1). In support of this application, Union Pacific states the following:

1. Union Pacific’s full name and address is:

Union Pacific Railroad Company

1400 Douglas Street

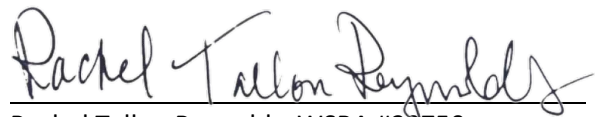
Omaha, Nebraska 68179
2. Union Pacific is a common carrier by rail engaged in the transportation of freight across 23 U.S. western U.S. states, including Washington.
3. Union Pacific’s vendor, RoadSafe, provides certain services in the State of Washington that include providing traffic control support services.
4. Union Pacific desires to have RoadSafe provide governing authorities with notification of any Union Pacific planned action that may have a significant impact on an authority’s community.
5. WAC 480-62-305(1) states that:

At least ten days prior to taking any planned action that may have a significant impact on a community, railroad companies must notify, in writing, the governing authority of the community and the commission of the planned action.
6. Pursuant to WAC 480-07-110, the Commission may grant an exemption from, or modify the application of, any of its rules in individual circumstances if the exemption or modification is

consistent with the public interest, the purposes underlying regulation, and applicable statutes.

7. Allowing a flagging company to provide community notice aligns with the purpose and intent of WAC 480-62-305(1). As such, pursuant to WAC 480-07-110, Union Pacific hereby requests a waiver or modification of WAC 480-62-305(1) to allow RoadSafe to provide community notices on behalf of Union Pacific.
8. If the Commission grants Union Pacific's requested exemption, Union Pacific will authorize RoadSafe to provide community notices on its behalf while Union Pacific retains ultimate responsibility for ensuring that such notices otherwise comply with WAC 480-62-305. Community notices will clearly indicate that they are provided on behalf of Union Pacific. For example, WAC 480-62-305(3)(g) requires a community notice to contain a "[r]ailroad company contact person and phone number." If RoadSafe provides community notice on behalf of Union Pacific, the notice will include the Union Pacific Public Projects Manager's name and phone number in addition to RoadSafe's contact information.
9. In light of the foregoing information, Union Pacific respectfully submits that it is in the public interest to allow RoadSafe to provide community notices on behalf of Union Pacific.

Respectfully submitted on this 30th day of August 2022.



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