

**BEFORE THE WASHINGTON STATE
UTILITIES AND TRANSPORTATION COMMISSION**

In the Matter of the Petition of)	DOCKET NO. TR-030664
)	
BURLINGTON NORTHERN)	ORDER NO. 01
SANTA FE RAILROAD)	
)	
Petitioner,)	
)	
Seeking Exemption from the)	
Provisions of WAC 480-62-033)	
Relating to Reporting)	
Requirements for Class I Railroad)	ORDER DENYING EXTENSION OF
Companies.)	TIME TO FILE ANNUAL REPORT
.....)	

BACKGROUND

- 1 On May 8, 2003, Burlington Northern Santa Fe Railroad filed with the Commission a petition for an extension of time to file its annual report for 2002 as required by WAC 480-62-085. According to the Company, it is unable to prepare the report because there is additional administrative information requested by the Commission, the individuals reporting are at various locations, and the report was sent to a different address. The Company seeks an extension until June 15, 2003.
- 2 Commission Staff reviewed the request and recommended denying Burlington Northern Santa Fe’s request for extension because the request was not timely filed.

FINDINGS AND CONCLUSIONS

- 3 (1) The Washington Utilities and Transportation Commission is an agency of the State of Washington vested by statute with the authority to regulate

public service companies, including Class I Railroad companies. *RCW 81.04.080.*

- 4 (2) Burlington Northern Santa Fe Railroad is a Class I Railroad Company and is a public service company subject to the jurisdiction of the Commission.
- 5 (3) Burlington Northern Santa Fe Railroad is subject to the provisions of RCW 81.04.080 and WAC 480-62-033, requiring Class 1 railroad companies to file an annual report no later than May 1st of each year.
- 6 (4) RCW 80.04.080 provides that the Commission may grant additional time to furnish the annual report.
- 7 (5) This matter was brought before the Commission at its regularly scheduled meeting on May 28, 2003.
- 8 (6) After review of the petition filed in Docket No. TR-030664 by Burlington Northern Santa Fe Railroad on May 8, 2003, giving due consideration, the Commission finds that the extension should be denied.

ORDER

THE COMMISSION ORDERS:

- 9 (1) The Commission denies the exemption sought by Burlington Northern Santa Fe Railroad for an extension until June 15, 2003 to file its 2002 annual report.

- 10 (2) The Commission retains jurisdiction over Burlington Northern Santa Fe Railroad and the subject matter to effectuate the provisions of this Order.

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

DATED at Olympia, Washington, and effective this 28th day of May, 2003.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

CAROLE J. WASHBURN, Secretary