

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

In the Matter of the Petition of	)	DOCKET TR-070606
	)	
MOUNT VERNON TERMINAL	)	ORDER 01
RAILWAY,	)	
	)	
Petitioner,	)	
	)	ORDER GRANTING EXEMPTION
Seeking Exemption from the	)	FROM RULE; GRANTING COMPANY
Provisions of WAC 480-62-300	)	ADDITIONAL TIME TO FILE
Relating to Annual Reports	)	ANNUAL REPORT
.....	)	

**BACKGROUND**

- 1     On March 27, 2007, Mount Vernon Terminal Railway (railroad) filed a petition with the Utilities and Transportation Commission (Commission) for an extension of time to file its annual report for 2006 as required by WAC 480-62-300. According to the railroad, it is unable to prepare the report because its accountant has not provided the necessary information prior to an out-of-state commitment that extends beyond the May 1 deadline. The railroad seeks an extension until May 30, 2007.
- 2     The railroad typically reports only interstate revenue and does not pay intrastate regulatory fees.
- 3     Commission Staff reviewed the request and recommends granting the railroad’s request for exemption, subject to the railroad filing its 2006 annual report no later than May 30, 2007.

**FINDINGS AND CONCLUSIONS**

- 4     (1)    The Washington Utilities and Transportation Commission is an agency of the State of Washington vested by statute with the authority to regulate railroad companies.
- 5     (2)    Mount Vernon Terminal Railway is a railroad company subject to the jurisdiction of the Commission.

- 6 (3) Mount Vernon Terminal Railway is subject to the provisions of WAC 480-62-300, requiring railroad companies to file an annual report no later than May 1 of each year.
- 7 (4) WAC 480-62-140 provides that the Commission may grant an exemption from the provisions of any rule in WAC 480-62 if consistent with the public interest, the purposes underlying regulation, and applicable statutes.
- 8 (5) This matter came before the Commission at its regularly scheduled meeting on April 11, 2007.
- 9 (6) After review of the petition filed in Docket No. TR-070606 by Mount Vernon Terminal Railway on March 27, 2007, and giving due consideration, the Commission finds that the extension is reasonable and an exemption should be granted.

**ORDER**

**THE COMMISSION ORDERS:**

- 10 (1) The exemption sought by Mount Vernon Terminal Railway for an extension until May 30, 2007, to file its 2006 annual report is granted.
- 11 (2) Failure by Mount Vernon Terminal Railway to file its annual report by May 30, 2007, may result in the Commission invoking provisions of RCW 81.04 that provide for penalty assessments.
- 12 (3) The Commission retains jurisdiction over the subject matter and Mount Vernon Terminal Railway 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 April 11, 2007.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

CAROLE J. WASHBURN, Executive Secretary