

**BEFORE THE WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION**

In the Matter of the Petition of

DOMTAR GYPSUM,

Petitioner,

For Exemption under the Clearance
Rules and Regulations Governing
Common Carrier Railroads

DOCKET TR-900390

ORDER 02

AMENDING ORDER 01

BACKGROUND

- 1 On March 22, 1990, Domtar Gypsum filed with the Washington Utilities and Transportation Commission (Commission) a petition (Petition) requesting an exemption from railroad clearance rules in WAC 480-60-050(3), which require a side clearance of at least seven feet three inches from the centerline of track to the nearest structure, if that structure is a platform four feet or less above the top of the rail.
- 2 On May 18, 1990, the Commission granted the petition for exemption from WAC 480-60-050(3) subject to the condition that the impaired platform (loading dock) be painted safety yellow; a sign be placed in advance of the impairment area stating “Stop”; “No Clearance”; and “No Trainmen Beyond This Point” in three-inch high black letters on a white reflectorized background; the area of impairment be illuminated during hours of darkness; and that the door and warning sign also be illuminated when the facility door is closed and the derail operational during hours of darkness.
- 3 A recent inspection by Commission staff (Staff) of the facility shows that the loading dock markings, warning sign, and illumination are present as required in Order 01.
- 4 However, Staff found that ownership of the facility has changed from Domtar Gypsum to Georgia Pacific Gypsum (Georgia Pacific). In order to update Commission records, the Commission would need to change the name in this docket to Georgia Pacific. A name change is a non-material change to the Commission Order. Staff recommends the Commission amend Order 01, changing the name from “Domtar Gypsum” to “Georgia Pacific Gypsum.” The other conditions of granting the close clearances in Order 01 remain the same.

DISCUSSION

5 We agree with Staff's recommendation. Accordingly, the Commission amends Order 01
by changing the name from "Domtar Gypsum" to "Georgia Pacific Gypsum" to reflect
the present ownership of the facility at issue.

FINDINGS AND CONCLUSIONS

- 6 (1) The Commission is an agency of the State of Washington vested by statute with
the authority to regulate the rules, regulations, and practices of public service
companies, including railroad companies, within the state of Washington. RCW
80.01.040, RCW 81.01, RCW 81.04, and RCW 81.53
- 7 (2) Georgia Pacific Gypsum is a railroad company subject to Commission
jurisdiction, because it owns equipment used in connection with a railroad.
- 8 (3) Staff investigated the previous exemption of WAC 480-60-050 granted to Domtar
Gypsum and recommends that the Order be amended to reflect current conditions.
- 9 (4) This matter came before the Commission at its regularly scheduled meeting on
January 7, 2021.
- 10 (5) After considering all relevant matters and for good cause shown, the Commission
finds that amending the previous Order is in the public interest. The previous
Order should be amended.

ORDER

11 **THE COMMISSION ORDERS THAT** Order 01, granting a permanent exemption
from the clearance requirements in WAC 480-60-050(3) to Domtar Gypsum is amended,
updating the name to Georgia Pacific Gypsum. The conditions of granting the close
clearance in Order 01 remain the same.

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

DATED at Lacey, Washington, and effective January 7, 2021.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

MARK L. JOHNSON
Executive Director and Secretary