

Brotherhood of Locomotive Engineers and Trainmen

Washington State Legislative Board

www.wslb-ble.org

Mark K. Ricci, Ph.D., Chairman

1620 217th Ave Ct. E.
Sumner, WA 98390
(253) 862-7542
Fax: (253) 891-6943

DrMarkKRicci@comcast.net

Russell G. Bates, Secretary-Treasurer

11431 SE 89th PL
Newcastle, WA 98056
Home/Fax (425) 271-1086
Cell (206) 930-9303

russellgbates@comcast.net

October 9, 2004

Carole J. Washburn, Commission Secretary
Washington Utilities and Transportation Commission
1300 S. Evergreen Park Drive, S.W., P.O. Box 47250
Olympia, WA. 98504-7250

Re: Docket No. TR-040151

Sent VIA Electronic Transfer Format

Dear Commissioners:

On May 12, 2004, the Washington State Legislative Board, Brotherhood of Locomotive Engineers and Trainmen (BLET) offered to report to the Washington Utilities and Transportation Commission (WUTC) the results of the Teamster's/BLET concerns with the Interim Report of Remote Control Operations in the United States prepared by the Federal Railroad Administration (FRA.) We acknowledge that this report is only tangential to the issue of point protection being considered by the WUTC, however to fulfill our promise, we have attached documents to this letter addressing the current state of that information gathering exercise.

In June 2004, President Don Hahs on behalf of the BLET hand delivered a letter to Ms. Betty Monro, Deputy Administrator for the FRA, and attempted to open anew a dialogue about BLET concerns with the process and methods surrounding RCL implementation, safety data collection, and numerous issues surrounding the Interim report on RCL operations issued by the FRA. A copy of that letter appends this discussion. In conjunction with this initial discussion, the BLET held additional discussions with FRA executives closely responsible for preparing the Interim RCL report. These discussions resulted in additional correspondence dated July 2, 2004. A copy of that letter appends this discussion.

*A DIVISION OF THE RAIL CONFERENCE OF THE INTERNATIONAL BROTHERHOOD OF TEAMSTERS
AFFILIATED WITH THE WASHINGTON STATE LABOR COUNCIL, A.F.L.-C.I.O.*



Brotherhood of Locomotive Engineers and Trainmen

Washington State Legislative Board

www.wslb-ble.org

Mark K. Ricci, Ph.D., Chairman

1620 217th Ave Ct. E.
Sumner, WA 98390
(253) 862-7542
Fax: (253) 891-6943

DrMarkKRicci@comcast.net

Russell G. Bates, Secretary-Treasurer

11431 SE 89th PL
Newcastle, WA 98056
Home/Fax (425) 271-1086
Cell (206) 930-9303

russellgbates@comcast.net

The July 2, 2004, letter identified 19 concerns that BLET researchers and experts needed additional information from the FRA in order to understand the basis for the assertions made in the Interim report on RCL operations. Of particular interest to the WUTC work in TR-040151 on pages 3-4, items 10 and 11, the BLET specifically raises questions from its own research that is contrary to the assertions of the FRA.

Throughout July, August, and September, the BLET gently requested a progress report of the FRA efforts to address the concerns raised by the BLET to its Interim report on Remote Control Operations. On September 22, 2004, the BLET officially asked the FRA in an open public meeting of the Rail Safety Advisory Committee (RSAC) for a response to the numerous inquiries by the Teamsters/BLET. First, the BLET asked "why was the issue of review of the interim report removed from the agenda of the September 22, 2004, meeting when the minutes of the previous meeting asserted a review of the report would be on the agenda." Second, the BLET asked specifically about a response to the June 10, 2004 and the July 2, 2004, letters of BLET concerns.

The FRA asserted the response to the July 2, 2004, inquiry was prepared and would be sent immediately to the BLET. The FRA asserted that it was an oversight to remove the discussion of the FRA interim report from the September 22, 2004 meeting.

As of October 8, 2004, the FRA still has not responded to the BLET request for information from either the June 10, 2004 letter or the July 2, 2004, letter. The Teamsters/BLET, in the interest of fairness and a desire for effective safety research, has delayed any formal presentation of the Teamsters/BLET's concerns with the Interim report of Remote Control operations hoping that an informed response to the concerns raised by the BLET would allay some of those concerns. The Teamsters/BLET continues a process of analysis that is intended to result in a formal presentation of concerns with the report prepared by the FRA on remote control operations in the United States.

*A DIVISION OF THE RAIL CONFERENCE OF THE INTERNATIONAL BROTHERHOOD OF TEAMSTERS
AFFILIATED WITH THE WASHINGTON STATE LABOR COUNCIL, A.F.L.-C.I.O.*



Brotherhood of Locomotive Engineers and Trainmen

Washington State Legislative Board

www.wslb-ble.org

Mark K. Ricci, Ph.D., Chairman

1620 217th Ave Ct. E.
Sumner, WA 98390
(253) 862-7542
Fax: (253) 891-6943

DrMarkKRicci@comcast.net

Russell G. Bates, Secretary-Treasurer

11431 SE 89th PL
Newcastle, WA 98056
Home/Fax (425) 271-1086
Cell (206) 930-9303

russellgbates@comcast.net

The WSLB-BLET can not determine if the FRA is unwilling or unable to respond to the serious concerns raised by the Teamsters/BLET. However, the WSLB-BLET has determined that the formal report promised to the WUTC at the May 12, 2004, hearing continues in process and will be completed with or without the responses requested from the FRA. Unfortunately, this report will not be available for consideration by the WUTC in the current TR-040151 process.

Respectfully submitted,

Mark K. Ricci, Ph.D., Chairman
Washington State Legislative Board
Brotherhood of Locomotive Engineers and Trainmen

A Division of the Rail Conference of the
International Brotherhood of Teamsters

Attachment (2)

*A DIVISION OF THE RAIL CONFERENCE OF THE INTERNATIONAL BROTHERHOOD OF TEAMSTERS
AFFILIATED WITH THE WASHINGTON STATE LABOR COUNCIL, A.F.L.-C.I.O.*

