

## **Regulating Idaho's railroads**

More than 900 miles of railroad track in Idaho have been abandoned since 1976. Federal law governs rail line abandonments. The federal Surface Transportation Board decides the final outcome of abandonment applications. Under Idaho law, however, after a railroad files its federal notice of intent to abandon, the IPUC must determine whether the proposed abandonment would adversely affect the public interest. The commission then reports its findings to the STB.

In reaching a conclusion, the commission considers whether abandonment would adversely affect the service area, impair market access or access of Idaho communities to vital goods and services, and whether the line has a potential for profitability.

The Idaho Public Utilities Commission also conducts inspections of Idaho's railroads to determine compliance with state and federal laws, rules and regulations concerning the transportation of hazardous materials, locomotive cab safety and sanitation rules, and railroad/highway grade crossings.

Hazardous material inspections are conducted in rail yards and at shipping facilities. In 1994, Idaho was invited to participate in the Federal Railroad Administration's State Participation Program. IPUC has a State Program Manager and two FRA certified hazardous material inspectors.

The IPUC inspects railroad-highway grade crossings where incidents occur, investigates citizen complaints of unsafe or rough crossings and conducts railroad-crossing surveys.

## **Railroad Activity Summary 2008**

Inspections	111
Rail cars inspected	1019
Violations	9
Rail cars with defects	204
Crossing accidents investigated	15
Crossing complaints	6
Locomotives Inspected	9
Defects within locomotives inspected	0

## Operation Lifesaver

Idaho Operation Lifesaver is a non-profit state organization dedicated to increasing public awareness of the potential dangers that exist at highway/rail grade crossings and around trains in general.

Volunteers from various sponsoring groups and other interested individuals staff the organization. Volunteer staff members talk to about 130,000 people each year at presentations and safety booths. Because of the IPUC's railroad safety oversight, it has taken a leading role in sponsoring and supporting Operation Lifesaver. IPUC staff members participate by making presentations to groups, manning safety booths and serving on the board and various committees.

It is the intent of the program to achieve its goal by using:

**Education** – Educate the public about trains by providing safety presentations and by operating informational booths.

**Engineering** – Work with government entities, businesses and railroads to improve highway/rail intersections.

**Enforcement** – Work with law enforcement agencies and railroads to enforce traffic laws pertaining to highway/rail intersections.

## Railroads in Idaho

### **Palouse River Railroad**

709 N. 10<sup>th</sup> St, Walla Walla, WA, 90362  
509.522.1464  
Idaho track miles: 0

### **Great Northwest Railroad**

PO Box 116, Lewiston, ID, 83501  
208.743.2559  
Idaho track miles: 8

### **Idaho Northern & Pacific**

PO Box 715, Emmett, ID, 83617  
208.365.6353  
Idaho track miles: 139

### **St. Maries River Railroad**

318 N. 10<sup>th</sup> St., St. Maries, ID, 83861  
208.245.4531  
Idaho track miles: 99.4

### **BG&CM Railroad, Inc.**

PO Box 1759, Orofino, ID, 83544  
208.476.7938  
Idaho track miles: 127

### **Burlington Northern Railroad**

176 E. Fifth St., St. Paul, MN, 55101  
208.263.2016  
Idaho track miles: 123

### **Eastern Idaho Railroad**

618 Shoshone St. West, Twin Falls, ID, 83301  
208.733.4686  
Idaho track miles: 269

### **Montana Rail Link**

PO Box 8779, Missoula, MT, 59807  
406.523.1500  
Idaho track miles: 45

### **Union Pacific Railroad**

1416 Dodge St., Omaha, NE, 68179  
208.343.1771  
Idaho track miles: 849

## Consumer Assistance

The Consumer Assistance staff responded to 2,672 complaints, comments or inquiries in calendar year 2007, of which 88 percent were from residential customers. The number of complaints has increased from 2006, when complaints totaled 2,526.

### Breakdown of complaints by type of utility

Contacts regarding telecommunications companies:	45 percent
Contacts regarding energy (electric, gas) companies:	36 percent
Contacts regarding water companies:	11 percent
Non-utility related contacts:	8 percent

*(Qwest Communications had 35 percent of telecommunication complaints; Idaho Power had 40 percent and Intermountain Gas 32 percent of energy utility complaints and United Water had 27 percent of water complaints.)*

### Summary of service quality issues:

Disputed billings	22 percent
Credit and collection issues	24 percent
Miscellaneous	19 percent
Utility rates and policies	14 percent
Telecommunications issues	10 percent
Line extensions and service upgrades	4 percent
Service quality and repair	7 percent

While dispute resolution remains an important task, it is hoped that by working with consumer groups, social service agencies, and utilities, persistent causes of consumer difficulties can be identified and addressed.

Consumer complaints present an opportunity for utilities and the commission to learn the effect of utility practices and policies on people. For example, the unintentional and perhaps unfair impact of a rule or regulation might be discovered in the course of investigating a complaint. In such cases an informal, negotiated remedy may not be possible, and formal action by the commission would be required. The Consumer Assistance Staff's participation in formal rate and policy cases before the commission is the primary method used to address these issues.

The Consumer Assistance Staff is able to respond to many consumer contacts without extensive investigation. **About 55 percent of consumer contacts required investigation by the staff. About 47 percent of investigations resulted in reversal or modification of the utilities' original action.**

### Toll-Free Complaint Line

The commission has a toll-free telephone line for receiving utility complaints and inquiries from consumers outside the Boise area. The toll-free line **(1-800-432-0369)** is reserved for inquiries and complaints concerning utilities. Consumers may also file a complaint electronically via the commission's Website at [www.puc.idaho.gov](http://www.puc.idaho.gov).