

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 2011

Inspections	171
Rail cars inspected	1569
Violations	9
Rail cars with defects	215
Crossing accidents investigated	2
Crossing complaints	2
Locomotives Inspected	11
Defects within locomotives inspected	0

Consumer Assistance

The Consumer Assistance staff responded to 1,886 complaints, comments or inquiries in calendar year 2010, of which 90 percent were from residential customers.

Breakdown of complaints by type of utility

Contacts regarding telecommunications companies:	32 percent
Contacts regarding energy (electric, gas) companies:	52 percent
Contacts regarding water companies:	10 percent
Non-utility related contacts:	6 percent

(Qwest Communications had 41 percent of telecommunication complaints; Idaho Power had 51 percent and Intermountain Gas 21 percent of energy utility complaints and United Water had 32 percent of water complaints.)

Summary of service quality issues:

Disputed billings	23 percent
Credit and collection issues	33 percent
Miscellaneous	14 percent
Utility rates and policies	15 percent
Telecommunications issues	6 percent
Line extensions and service upgrades	1 percent
Service quality and repair	5 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.

While the Consumer Assistance Staff is able to respond to some consumer inquiries without extensive research, about 74 percent of consumer complaints required investigation by the staff. About 39 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.