

BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION

IN THE MATTER OF THE ASSESSMENT)	CASE NO. F-2021-2
OF RAILROAD CORPORATIONS FOR THE)	
SPECIAL REGULATORY FEES PAYABLE)	
TO THE COMMISSION FOR FISCAL YEAR)	ORDER NO. 35005
2022)	
)	

In March 2021, the Idaho Legislature passed, and the Governor signed Senate Bill 1141 appropriating a total of \$6,709,600 to the Commission for operations during Fiscal Year (FY) 2022 (July 1, 2021 to June 30, 2022). This appropriation represents \$5,943,700 for public utilities activities, \$204,800 for railroad activities, \$341,800 for federal grants, and \$219,300 for indirect funds. This Order assesses the railroads their share of the total appropriation.

For FY 2020, there was a carry-over balance (reverted appropriation) for railroads of \$51,200. After incorporating the carry-over, the calculated assessment is \$153,600 (\$204,800-\$51,200) for FY 2022 railroad operations.

The reported gross operating revenues from railroad operations in Idaho is \$23.95 million for calendar year 2020. This represents a reported revenue increase of approximately \$4.5 million (23.34%) from the prior year. The proportionate share for each railroad's regulatory fee is to be assessed at 0.6413%. In no case shall the proportionate share of each railroad's assessed regulatory fee be less than \$50. *Idaho Code* §§ 61-1004(4) and 62-611.

FINDINGS OF FACT

In accordance with *Idaho Code* §§ 61-1001 through 61-1008 and 62-611, the Commission is authorized to assess \$153,600 for supervising and regulating railroads subject to our jurisdiction.

The total reported Idaho gross operating revenues derived from all intrastate railroad business for the 2020 calendar year is \$23.95 million.

The proportionate assessment for each railroad corporation is 0.6413% of its Idaho gross operating revenue derived from intrastate railroad business for the 2020 calendar year. In no case shall the calculated regulatory fee be less than \$50.00 per railroad.

ORDER

IT IS THEREFORE ORDERED, except as provided in the following paragraph, that each railroad corporation operating within the State of Idaho and subject to the jurisdiction of this Commission shall pay to the Idaho Public Utilities Commission a special regulatory fee for the 2022 fiscal year amounting to 0.6413% of such railroad's gross operating revenue derived from intrastate railroad business in Idaho for the 2020 calendar year.

IT IS FURTHER ORDERED that if the fee thus determined shall be less than \$50, then such railroad shall pay to the Commission the minimum of \$50 as prescribed by law. *Idaho Code* §§ 61-1004(4) and 62-611.


IT IS FURTHER ORDERED that at least one-half of such regulatory fee shall be paid to the Commission on or before May 15, 2021, and any remaining balance shall be paid on or before November 15, 2021.

IT IS FURTHER ORDERED that if the payment shall not be made on or before the due dates, the installment or portion thereof so due shall bear interest at the rate of 6% per annum until such time as the full amount of the installment shall have been paid and such delinquent payment shall be subject to an action in the name of the State for collection. *Idaho Code* § 61-1005.

THIS IS A FINAL ORDER. Any railroad objecting to the assessment prescribed in this Order must file a written objection with the Commission no later than May 15, 2021. *Idaho Code* § 61-1007.

//

DONE by Order of the Idaho Public Utilities Commission at Boise, Idaho this 16th day
of April 2021.



PAUL KJELLANDER, PRESIDENT

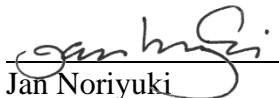


KRISTINE RAPER, COMMISSIONER



ERIC ANDERSON, COMMISSIONER

ATTEST:



Jan Noriyuki
Commission Secretary

I:\Legal\ASSESSMENT\F-2021-2_Railroads_assessment_jh.docx