

**BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION**

<b>IN THE MATTER OF THE ASSESSMENT</b>	)	<b>CASE NO. F-2022-2</b>
<b>OF RAILROAD CORPORATIONS FOR THE</b>	)	
<b>SPECIAL REGULATORY FEES PAYABLE</b>	)	
<b>TO THE COMMISSION FOR FISCAL YEAR</b>	)	<b>ORDER NO. 35371</b>
<b>2023.</b>	)	

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In March 2022, the Idaho Legislature passed, and the Governor signed SB 1393 and SB 1417 appropriating a total of \$6,996,200 to the Commission for Fiscal Year 2023 (July 1, 2022 to June 30, 2023). The total appropriation includes \$6,418,000 from fees assessed on public utilities and railroads; \$358,400 for federal grants; and \$219,300 for indirect funds. This Order assesses the railroads their share of the total appropriation.

For FY 2021, there was a one-time carry-over balance of \$49,100 for railroads. The calculated assessment is \$162,085 for FY 2023 railroad operations.

The reported gross operating revenues from railroad operations in Idaho is \$24,722,300 for calendar year 2021. This is an increase of approximately \$769,000 (3.2%) from the prior year. Accordingly, the proportionate share for each railroad’s fee is to be assessed at 0.6556%. In no case shall the proportionate share of each railroad’s assessed regulatory fee be less than \$50.00. *Idaho Code* § 61-1004(4).

**FINDINGS OF FACT**

Pursuant to *Idaho Code* §§ 61-1001 et seq. and *Idaho Code* 62-611, the Commission is authorized to assess \$162,085 for supervising and regulating railroads subject to our jurisdiction.

The total reported Idaho gross operating revenues derived from all intrastate railroad business for the 2021 calendar year is \$24,722,300.

The proportionate assessment for each railroad corporation is 0.6556% of its Idaho gross operating revenue derived from intrastate railroad business for the 2021 calendar year. In no case shall the calculated regulatory fee be less than \$50.00 per railroad.

## ORDER

IT IS HEREBY 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 Commission a special regulatory fee for the 2023 fiscal year amounting to 0.6556% of such railroad's gross operating revenue derived from intrastate railroad business in Idaho during the 2021 calendar year.

IT IS FURTHER ORDERED that if the fee thus determined shall be less than \$50.00, then such railroad corporation shall pay to the Commission the minimum of \$50.00 as prescribed by law. *Idaho Code* §§ 61-1004(4) and 62-611.

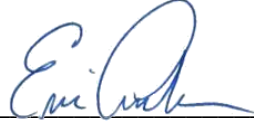
IT IS FURTHER ORDERED that at least one-half of such regulatory fee shall be paid to the Commission on or before May 15, 2022, and any remaining balance shall be paid on or before November 15, 2022.

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 utility objecting to the assessment prescribed in this Order must file a written objection with the Commission no later than May 15, 2022. *Idaho Code* § 61-1007.

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DONE by Order of the Idaho Public Utilities Commission at Boise, Idaho this  
14<sup>th</sup> day of April 2022.



ERIC ANDERSON, PRESIDENT

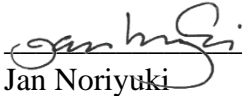


JOHN CHATBURN, COMMISSIONER



JOHN R. HAMMOND JR, COMMISSIONER

ATTEST:



Jan Noriyuki  
Commission Secretary

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