

BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION

IN THE MATTER OF ST. MARIES RIVER) CASE NO. SMR-R-22-01
RAILROAD COMPANY’S FAILURE TO)
MAINTAIN THE 396298J CROSSING AND) ORDER TO VACATE HEARING
TO PAY ASSESSMENT FEES)
) ORDER NO. 35458
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On June 22, 2022, the Idaho Public Utilities Commission (“Commission”) issued Order No. 35439, requiring St. Maries River Railroad Company (“Railroad”) to appear before the Commission at 3:00 P.M. (MDT) on July 12, 2022, in the Commission Hearing Room at 11331 W. Chinden Blvd., Bldg. #8, Suite 201-A, Boise, Idaho, to show cause why the Railroad should not be required to:

1. Immediately perform maintenance on the [396298J] Crossing;
2. Pay up to a \$2,000 penalty per day for its failure to perform maintenance on the Crossing. *See Idaho Code §§ 61-706 and 61-707;*
3. Immediately pay its past due Assessment or semi-annual installment, plus all accrued interest; and
4. Pay up to a \$2,000 penalty per day for its continuing failure to pay its 2022 Assessment or semi-annual installment and all accrued interest. *See Idaho Code §§ 61-706 and 61-707.*

Order No. 35439 at 1.

On June 23, 2022, Commission Staff (“Staff”) received an email from Paul Riemann, the Maintenance of Way Supervisor/Bridge Inspector for the Railroad. Mr. Riemann indicated that the Railroad had a crew making some temporary repairs to the Crossing, and that the plan was to remove the asphalt and relay new asphalt for permanent repairs once conditions and schedule allowed.

On July 5, 2022, Staff received a check from the Railroad for the full amount of the 2022 assessment, \$6,890.18. The Railroad did not include any amount of interest for late payment in the total check amount.


Based on the representations made in the Railroad’s correspondence, and the check received by the Staff, the Commission will vacate the July 12, 2022, hearing scheduled in this case. If the Railroad’s check fails to clear for any reason, the Railroad fails to pay any interest assessed

for late payment, or the Railroad fails to follow through on its plans for maintenance on the Crossing, the Commission will immediately issue a new notice scheduling a hearing at the earliest available date.

ORDER

IT IS HEREBY ORDERED that the hearing set for 3:00 p.m. (MDT) on July 12, 2022, is VACATED.

DONE by Order of the Idaho Public Utilities Commission at Boise, Idaho this 11th day of July 2022.



ERIC ANDERSON, PRESIDENT

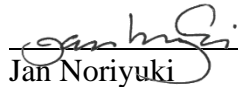


JOHN CHATBURN, COMMISSIONER



JOHN R. HAMMOND JR., COMMISSIONER

ATTEST:



Jan Noriyuki
Commission Secretary

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