

BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION

IN THE MATTER OF UNION PACIFIC) **CASE NO. UPR-R-20-01**
RAILROAD’S NOTICE OF PROPOSED)
ABANDONMENT OF A 1.16 MILE) **NOTICE OF**
SEGMENT OF RAIL LINE) **PROPOSED ABANDONMENT**
)
) **NOTICE OF**
) **TELEPHONIC HEARING**
)
) **ORDER NO. 34837**

On August 24, 2020, the Commission received correspondence from Union Pacific Railroad Company (“Company”) proposing to abandon an approximately 1.16-mile segment of a railroad known generally as the “Coeur D’Alene Industrial Lead” in Coeur D’Alene, Idaho, from milepost 1.09 to milepost 2.25. The line traverses United States Postal Service ZIP Code 83854.

The Company indicated it would petition the Surface Transportation Board (“STB”) to abandon this rail line. *See* 49 C.F.R § 1152.50. The Company represented that it would provide any available documentation in the Company’s possession promptly to those requesting it.

The Company filed its petition with the STB on September 18, 2020. The STB will issue a final decision on the proposed abandonment by January 6, 2021.

NOTICE OF PROPOSED ABANDONMENT

YOU ARE HEREBY NOTIFIED that on September 18, 2020, the Company filed a Verified Notice of Exemption with the STB, Docket No. AB-33 (Sub-No. 346X) seeking an exemption from 49 U.S.C. § 10903. *See* 49 C.F.R § 10502. The Company represents that the section of railroad it petitioned to abandon only serves one customer, and that customer has voluntarily elected to relocate its facility. If the Company receives authority to abandon the section, the track and property will be sold to the State of Idaho through the Idaho Department of Transportation. The Company’s line does not contain any federally granted rights-of-way.

YOU ARE FURTHER NOTIFIED that the STB’s exemption process allows railroads to abandon rail lines if the abandonment is not necessary to carry out national transportation policy and the scope is limited *or* the application of [49 U.S.C. § 10903] is not needed to protect shippers from the abuse of market power. (Emphasis added). *See* 49 U.S.C. §§ 10502 and 10101.

NOTICE OF PROPOSED ABANDONMENT
NOTICE OF TELEPHONIC HEARING
ORDER NO. 34837

NOTICE OF TELEPHONIC HEARING

YOU ARE FURTHER NOTIFIED that the Commission has scheduled a telephonic hearing in this matter to commence at **2:00 PM (MST) December 1, 2020**. Persons wishing to offer their testimony telephonically or listen to the proceedings may dial **1-800-920-7487** at the designated time and enter the **passcode 6674832#** when prompted.

The purpose of the hearing is to take public testimony on whether abandoning the rail line would be adverse to the public interest. The Company, any shipper, local government leaders, and any other interested persons are encouraged to testify.

YOU ARE FURTHER NOTIFIED that all hearings will be conducted in accordance with the Commission's Rules of Procedure, IDAPA 31.01.01.000 *et seq.*

YOU ARE FURTHER NOTIFIED that the Company's notice to the Commission is available for public inspection during regular business hours at the Commission's office. These documents are also available on the Commission's website at <https://puc.idaho.gov/>. Click on "RAIL SAFETY" icon then select "Open Cases," then click on the case number as shown on the front of this document.

YOU ARE FURTHER NOTIFIED that all hearings in this matter will be held in facilities meeting the accessibility requirements of the Americans with Disabilities Act (ADA). Persons needing the help of a sign language interpreter or other assistance in order to participate in or to understand testimony and argument at a hearing may ask the Commission to provide a sign language interpreter or other assistance at the hearing. The request for assistance must be received at least five (5) working days before the hearing by contacting the Commission Secretary at:

IDAHO PUBLIC UTILITIES COMMISSION
11331 W. Chinden Blvd. Building 8, Suite 201-A
PO BOX 83720
BOISE, IDAHO 83720-0074
(208) 334-0338 (Telephone)
(208) 334-3762 (FAX)
secretary@puc.idaho.gov

YOU ARE FURTHER NOTIFIED that the Commission has jurisdiction over this matter under *Idaho Code* § 62-424. The Commission may enter any final Order consistent with its authority under Titles 61 and 62.

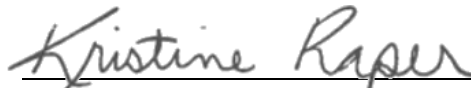
ORDER

IT IS HEREBY ORDERED that the Commission shall convene a telephonic hearing in this matter on Tuesday, December 1, 2020, at 2:00 p.m. (MST).

DONE by Order of the Idaho Public Utilities Commission at Boise, Idaho this 17th day of November 2020.



PAUL KJELLANDER, PRESIDENT

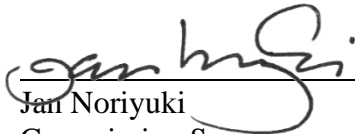


KRISTINE RAPER, COMMISSIONER



ERIC ANDERSON, COMMISSIONER

ATTEST:



Jan Noriyuki
Commission Secretary

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