BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION

IN THE MATTER OF THE APPLICATION OF)

THE UNION PACIFIC RAILROAD COMPANY)CASE NO. UP-RR-94-3

TO CONSOLIDATE LOCAL FREIGHT )

AGENCY SERVICES THROUGHOUT THE)

STATE AT EASTPORT, IDAHO FALLS AND)

NAMPA)

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IN THE MATTER OF THE APPLICATION OF )

UNION PACIFIC RAILROAD COMPANY TO)CASE NO. UP-RR-95-4

TRANSFER LOCAL AGENCY SERVICES IN)

THE STATE OF IDAHO TO THE NATIONAL)ORDER NO. 26108

CUSTOMER SERVICE CENTER AT ST. LOUIS,)

MISSOURI)NOTICE OF APPLICATION

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In October 1994, Union Pacific Railroad Company (UP) filed an Application (Case No. 94-3) to consolidate its remaining local freight agencies into three regional locations at Eastport, Idaho Falls and Nampa, Idaho.  Union Pacific maintains local agency services at Aberdeen, Idaho Falls, Montpelier, Parma, Pocatello, Sandpoint/Bonners Ferry and Weiser/ Payette.  The Commission issued a Notice of Application outlining UP’s proposal to consolidate customer services at the three regional offices for the purposes of providing customer assistance.  The three regional agents would explain to Idaho shippers “how the National Customer Service Center (NCSC) in St. Louis can provide better customer service than local freight agencies.”  The Railroad anticipated that the regional agencies would eventually be closed and transferred to the NCSC.  Further proceedings in the 94-3 case were suspended until the Commission received a list of Idaho rail shippers from UP.

On July 3, 1995, UP filed another Application (Case No. 95-4) to close its seven remaining freight agencies in Idaho and transfer their functions to the NCSC.  The Railroad requested that the 95-4 Application be processed under modified procedure without public hearings.  A list of all Idaho customers who have shipped or received rail freight between April 1994 and April 1995 was also enclosed with the Application.  In addition, the Railroad requested permission to withdraw its previous Application in the 94-3 case.

WITHDRAWAL REQUEST

The difference between the two applications is that the current Application (95-4) has eliminated the “transitional step” of implementing the three regional agencies.  As previously mentioned, further proceedings in the 94-3 case were suspended pending the receipt of the shippers list from UP.  Other than issuing a Notice of Application, the Commission had taken no further action in that case.  Pursuant to our Procedural Rule 67, the filing of a Notice to Withdraw Pleadings is usually effective 14 days after filing.  IDAPA 31.01.01.067.  Based upon our Rule 67 and the lack of any proceedings in the 94-3 case, we find: It is reasonable to allow UP to withdraw its 94-3 Application.  Accordingly, the 94-3 case is closed.

NOTICE OF APPLICATION

YOU ARE HEREBY NOTIFIED that Union Pacific requests permission in its 95-4 Application to close the seven remaining local agencies in Idaho and transfer their functions to the National Customer Service Center (NCSC) located in St. Louis, Missouri.  UP asserts that the NCSC can perform freight services more efficiently and effectively than local Idaho agencies.  Customers can communicate with the NCSC 24 hours a day, 365 days per year via a toll-free WATS telephone number.  The NCSC services include ordering and releasing cars, car tracing, switching instructions, rate quotes, preparing bills of lading and weigh bills.  The NCSC issues car instructions to train crews and performs accounting functions for all Idaho customers.  Freight bills are prepared in St. Louis and mailed directly to customers.

YOU ARE FURTHER NOTIFIED that if the Idaho agencies are closed, there will still remain in Idaho several “managerial and clerical personnel to serve as resources in facilitating use of the superior customer services provided by the NCSC.  In addition, train crew personnel will be available to assist in assuring efficient and prompt customer service.”  Application at 3.

YOU ARE FURTHER NOTIFIED that UP representatives will contact customers in Idaho, as necessary, to explain how customer services will be handled if this Application is granted.

YOU ARE FURTHER NOTIFIED that UP states it has a duty to operate its business in an efficient manner “to cut costs, to meet competition, to show a profit, and to eliminate unnecessary or redundant services.”  Id.  UP asserts that it will better serve Idaho customers if this Application is granted.

YOU ARE FURTHER NOTIFIED that the Application has been filed with the Commission and is available for public inspection during regular business hours at the Commission offices.

YOU ARE FURTHER NOTIFIED that UP requests that this Application be processed under modified procedure.  In other words, the Railroad maintains that public hearings in this matter are not necessary.

YOU ARE FURTHER NOTIFIED that any person desiring to intervene in this case for the purposes of becoming a party, i.e., to acquire the right of cross-examination, to participate in settlement or negotiation conferences, and to make and argue motions, must file a Petition to Intervene with the Commission Secretary pursuant to the Commission’s Rules of Procedure 71-75 IDAPA 31.01.01.071-75.  Any person desiring to state their views without parties’ rights of participation and cross-examination are not required to intervene and may present their comments without prior notification to the Commission or to the parties.

YOU ARE FURTHER NOTIFIED that all proceedings in this case will be held pursuant to the Commission’s jurisdiction under Title 61 of the Idaho Code and specifically Idaho Code § 61-302.  The Commission may enter any final Order consistent with its authority under Title 61.  All proceedings in this matter will be conducted pursuant to the Commission’s Rules of Procedure, IDAPA 31.01.01000 et seq.

O R D E R

IT IS THEREFORE ORDERED that Union Pacific’s request to withdraw its Application in Case No. UP-RR-94-3 is granted.  Accordingly, Case No. UP-RR-94-3 is closed.

DONE by Order of the Idaho Public Utilities Commission at Boise, Idaho this              day of August 1995.

RALPH NELSON, PRESIDENT

MARSHA H. SMITH, COMMISSIONER

DENNIS S. HANSEN, COMMISSIONER

ATTEST:

Myrna J. Walters

Commission Secretary

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