BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION

|  |  |  |
| --- | --- | --- |
| IN THE MATTER OF THE APPLICATION OF UNION PACIFIC RAILROAD COMPANY TO TRANSFER LOCAL AGENCY SERVICES IN THE STATE OF IDAHO TO THE NATIONAL CUSTOMER SERVICE CENTER AT ST. LOUIS, MISSOURI. | ))))))) | CASE NO. UP-RR-95-4NOTICE OF HEARINGORDER NO.  26192 |

In July 1995, Union Pacific Railroad Company (UP) filed an Application to close its seven remaining freight agencies in Idaho and transfer their functions to the National Customer Service Center (NCSC) located in St. Louis, Missouri.  Union Pacific currently maintains agencies in Aberdeen, Idaho Falls, Montpelier, Parma, Pocatello, Sandpoint/Bonners Ferry and Weiser/Payette.  UP asserted that the NCSC can perform freight services more efficiently and effectively than these local agencies.  UP requested that the Application be processed under the Commission’s Modified Procedure process and without public hearings.

BACKGROUND

The Commission issued a Notice of Application in this matter on August 3, 1995.  The Notice recited that Idaho customers can communicate with the NCSC 24 hours a day, 365 days per year via a toll-free telephone number.  The NCSC provides customer services for freight shippers including ordering and releasing cars, car tracing, switching instructions, rate quotes, preparing bills of laden and weigh bills.  UP asserted that if the Idaho freight agencies are closed, the Railroad will still be able to provide superior customer services.  The Railroad stated that it has the 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.”

Since publication of the Notice of Application, the Commission has received correspondence from several shippers and communities.  The communities of Dover, Ponderay and the City of Kootenai all requested the Commission hold public hearings in this matter.  In addition, a number of shippers submitted comments and requested public hearings.  Finally, the intervenor (Joint Rail Labor Legislative Board) has also petitioned the Commission for hearings.

Given our past practice and the numerous requests to conduct public hearings in this matter, we find:  It is appropriate to schedule public hearings to consider this Application.  Public hearings afford the Commission an opportunity to solicit input from Idaho shippers concerning the merits of closing the remaining agencies.  Accordingly, the Commission finds it is reasonable to schedule public hearings in this matter.

NOTICE OF HEARING

YOU ARE HEREBY NOTIFIED that eight (8) public hearings shall be convened in this matter.  Seven (7) public hearings will be convened in those communities where agencies are located to primarily receive testimony from shippers and, secondary to receive evidence from the parties pertinent to that specific location.  Following the seven agency hearings, the Commission will convene an evidentiary hearing to receive the testimony of the parties.  The last public hearing will be convened in Boise at a time mutually agreeable to the parties.

To make efficient use of the parties’ resources and the Commission’s time, the parties are instructed to hold an informal workshop one hour prior to convening the public hearing.  The purpose of the informal workshops is for the parties to advise shippers and members of the public about the Railroad’s Application, to answer general questions, to outline the positions of the parties, and to explain procedures to be employed at the hearing.  Again, the primary purpose of the seven local hearings is to obtain testimony from shippers, the public, and to elicit testimony specifically related to the agency in question.

YOU ARE FURTHER NOTIFIED that the following agency hearings have been scheduled:

NORTHERN IDAHO

Beginning on THURSDAY, OCTOBER 26, 1995 AT 7:00 P.M. AT THE EDGEWATER RESORT, 56 BRIDGE STREET, SANDPOINT, IDAHO (208) 263-3193.

EASTERN IDAHO

Beginning on WEDNESDAY, NOVEMBER 1, 1995,  AT 1:00 P.M. IN THE CITY COUNCIL ROOM, ABERDEEN CITY HALL, 17 NORTH MAIN STREET, ABERDEEN, IDAHO (208) 397-4161.

Beginning on WEDNESDAY, NOVEMBER 1, 1995, AT 7:00 P.M. IN THE COUNCIL CHAMBERS, IDAHO FALLS ELECTRICAL BUILDING, 140 SOUTH CAPITOL, IDAHO FALLS, IDAHO (208) 529-1235.

Beginning on THURSDAY, NOVEMBER 2, 1995, AT 1:00 P.M. IN THE EXTENSION OFFICE CONFERENCE ROOM, COURTHOUSE ANNEX, 130 NORTH 6TH AVENUE, POCATELLO, IDAHO (208) 236-7311.

Beginning on THURSDAY, NOVEMBER 2, 1995, AT 7:00 P.M. IN THE PLANNING AND ZONING ROOM, MONTPELIER CITY HALL, 534 WASHINGTON STREET, MONTPELIER, IDAHO (208) 847-0824.

WESTERN IDAHO

Beginning on TUESDAY, NOVEMBER 28, 1995, AT  1:00 P.M. IN THE CITY HALL MEETING ROOM, 305 NORTH 3RD, PARMA, IDAHO (208) 722-5138.

Beginning on TUESDAY, NOVEMBER 28, 1995, AT  7:00 P.M. IN THE CITY HALL BREAK ROOM, 700 CENTER AVENUE, PAYETTE, IDAHO (208) 642-6024.

YOU ARE FURTHER NOTIFIED that persons desiring to intervene in this case for the purpose of presenting evidence or cross-examining witnesses must file a Petition to Intervene with the Commission pursuant to Rules 72 and 73 of the Commission’s Rules of Procedure, IDAPA 31.01.01.000 et seq.  Persons desiring to present 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 other parties.

YOU ARE FURTHER NOTIFIED that all hearings and prehearing conferences in this matter will be held in facilities meeting the accessibility requirements of the Americans with Disabilities Act.  Persons needing the help of a sign language interpreter or other assistance of the kind that the Commission is obligated to provide under the Americans with Disabilities Act in order to participate in or to understand the testimony and argument at a public 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

PO BOX 83720

BOISE, IDAHO  83720-0074

(208) 334-0338  (TELEPHONE)

(208) 334-3151  (TEXT TELEPHONE)

(208) 334-3762  (FAX)

YOU ARE FURTHER NOTIFIED that the Commission has jurisdiction over this matter pursuant to provisions of Title 61 and specifically Idaho Code § 61-302.

YOU ARE FURTHER NOTIFIED that all proceedings in this matter will be conducted pursuant to the Commission’s Rules of Procedure, IDAPA 31.01.01.000 et seq.

O R D E R

IT IS HEREBY ORDERED that Union Pacific Railroad’s request that this matter be processed under Modified Procedure without hearing is denied.

IT IS FURTHER ORDERED that the parties adhere to the schedule outlined in the body of this Order.  The parties are further advised that the final evidentiary hearing, with prefiled testimony, will be scheduled to convene at a later date in Boise.

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

                                                             RALPH NELSON, PRESIDENT

                  MARSHA H. SMITH, COMMISSIONER

DENNIS S. HANSEN, COMMISSIONER

ATTEST:

Chris Maschmann

Assistant Commission Secretary

vld/O-UP-RR-95-4.dh2