

BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION

IN THE MATTER OF THE ASSESSMENT)	CASE NO. F-2023-2
OF RAILROAD CORPORATIONS FOR THE)	
SPECIAL REGULATORY FEES PAYABLE)	
TO THE COMMISSION FOR FISCAL YEAR)	ORDER NO. 35744
2024)	

In March and April 2023, the Idaho Legislature passed, and the Governor signed HB 322 and SB 1200 appropriating a total of \$7,183,600 to the Commission for Fiscal Year 2024 (July 1, 2023 to June 30, 2024). The total appropriation includes \$6,593,600 from fees assessed on public utilities and railroads; \$370,700 for federal grants; and \$219,300 for indirect funds. This Order assesses the railroads their share of the total appropriation.

For FY 2022, there was a one-time carry-over balance of \$37,300 for railroads. The calculated assessment is \$173,808 for FY 2024 railroad operations.

The reported gross operating revenues from railroad operations in Idaho is \$20,464,087 for calendar year 2022. This figure represents a decrease of approximately \$4.25 million (17.22%) from the prior year. Accordingly, the proportionate share for each railroad’s fee is to be assessed at 0.8493%. 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 \$173,808 for supervising and regulating railroads subject to our jurisdiction.

The total reported Idaho gross operating revenues derived from all intrastate railroad business for the 2022 calendar year is \$20,464,087.

The proportionate assessment for each railroad corporation is 0.8493% of its Idaho gross operating revenue derived from intrastate railroad business for the 2022 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 2024 fiscal year

amounting to 0.8493% of such railroad's gross operating revenue derived from intrastate railroad business in Idaho during the 2022 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, 2023, and any remaining balance shall be paid on or before November 15, 2023.

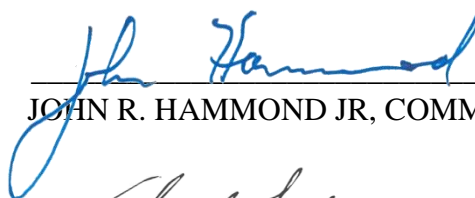
IT IS FURTHER ORDERED that if the payment shall not be made on or before the due dates, the installment or portion thereof so due shall bear interest at the rate of 6.0% per annum until such time as the full amount of the installment shall have been paid and such delinquent payment shall be subject to 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 by May 15, 2023. *Idaho Code* § 61-1007.

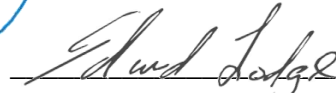
DONE by Order of the Idaho Public Utilities Commission at Boise, Idaho this 17th day of April 2023.



ERIC ANDERSON, PRESIDENT

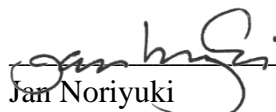


JOHN R. HAMMOND JR, COMMISSIONER



EDWARD LODGE, COMMISSIONER

ATTEST:



Jan Noriyuki
Commission Secretary

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