

SENATE BILL REPORT

SB 5434

AS PASSED SENATE, MARCH 13, 1991

Brief Description: Repealing certain regulatory authority over railroads.

SPONSORS: Senators Patterson, Snyder and Hansen; by request of Utilities & Transportation Commission.

SENATE COMMITTEE ON TRANSPORTATION

Majority Report: Do pass.

Signed by Senators Patterson, Chairman; Nelson, Vice Chairman; von Reichbauer, Vice Chairman; Barr, Conner, Erwin, Hansen, Madsen, McMullen, Oke, Skratek, Thorsness, and Vognild.

Staff: Gene Baxstrom (786-7303)

Hearing Dates: February 12, 1991

BACKGROUND:

The 1980 Staggers Rail Act gave the federal government all authority over railroad transportation rates. Under the act, any state wishing to exercise jurisdiction over rail transportation rates was required to apply for Interstate Commerce Commission (ICC) certification. To become certified, the state regulatory authority had to agree to exercise its authority in compliance with the act and was required to formalize that agreement by adopting rules to implement federal procedural and accounting rules.

In 1984, the Legislature directed that the Washington Utilities and Transportation Commission (WUTC) become certified by the ICC. The intent of such certification was to provide a local forum for the settlement of any rail transportation rates dispute. The WUTC drafted rules, applied for certification, and was certified by the ICC. The certification expires in May 1991 and recertification requires additional state rule adoption.

WUTC records show that only one rail transportation rate has been challenged since 1980, and that case was heard and decided before the state was certified.

SUMMARY:

The requirement that the Utilities and Transportation Commission maintain certification under the federal Staggers Rail Act is repealed.

Appropriation: none

Revenue: none

Fiscal Note: available

TESTIMONY FOR:

WUTC certification is not needed since no rate cases have been filed and the requirement should be repealed.

TESTIMONY AGAINST: None

TESTIFIED: Carol Monohon, UTC