

Service Date: December 8, 2015

DEPARTMENT OF PUBLIC SERVICE REGULATION
BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MONTANA

IN THE MATTER of the Public Service) REGULATORY DIVISION
Commission's Investigation into Railroad Safety)
) DOCKET NO. N2015.11.84

NOTICE OF ROUNDTABLE AND REQUEST FOR COMMENTS

On November 3, 2015, the Montana Public Service Commission (“Commission”) established an investigative docket concerning railroad safety in a regularly scheduled work session. This investigative docket is in response to several prompts for further discussion on railroad safety in addition to recent measures taken by the Commission on this issue. *See* 2015 Mont. Laws, ch. 104. On November 5, 2015, the Legislative Audit Committee discussed a report on railroad safety in Montana, which included several recommendations for the Commission. On August 11, 2015, the Commission directed staff to consider rulemaking on local safety concerns of blocked railroad crossings. In order to appropriately address these issues, the Commission seeks comment on whether and how to address the following recommendations, suggestions, and proposals:

- Conduct a rail safety risk assessment;
- Establish rail safety goals and objectives;
- Develop a rail safety plan for Montana that is reviewed annually with the Federal Railroad Administration;
- Engage with Montana Disaster and Emergency Services, and other state and federal agencies;
- Engage in emergency planning to ensure the rail safety program is proactively addressing risk in the state; and
- Conduct rulemaking on local safety concerns of blocked railroad crossings in accordance with Mont. Code Ann. § 69-14-111(2)(a) and 49 U.S.C. 20106.

In addition to these recommendations that could be accomplished within the Commission, the report also suggested that Commission increase its railroad safety inspection capability across the state through additional inspectors. While this is a decision that largely needs to be made by the Montana Legislature, the Commission seeks to examine possibilities for addressing this recommendation in the upcoming legislative session.

The Commission will also host a roundtable discussion to receive input from regulated entities and interested persons regarding these issues. The roundtable will be held in the Commission's Bollinger Room, 1701 Prospect Avenue, Helena, MT, on **January 20, 2016**, starting at 9:30 am.

In order to gather information for the roundtable discussion, the Commission requests that interested persons and entities submit written comments on the issues listed above no later than **January 15, 2016**. Written comments must be mailed to the Commission at PO Box 202601, Helena, MT 59620, or hand-delivered to the Commission at 1701 Prospect Ave, Helena, MT. Comments should also be submitted electronically by e-filing them on the Commission's website at <http://psc.mt.gov> ("Account Login/Registration" under "Electronic Documents" tab in Docket Number N2015.11.84.). Public comments may also be submitted to the Commission through the Commission's website <http://psc.mt.gov/consumers/comments/>.

BY THE MONTANA PUBLIC SERVICE COMMISSION

BRAD JOHNSON, Chairman
TRAVIS KAVULLA, Vice Chairman
KIRK BUSHMAN, Commissioner
ROGER KOOPMAN, Commissioner
BOB LAKE, Commissioner