



**Washington State  
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Ms. Cynthia T. Brown  
Chief, Section of Administration  
Office of Proceedings  
Surface Transportation Board  
395 E Street S.W.  
Washington, D.C. 20423-0012

RE: 49 CFR Part 1040 [Docket No. EP 726] – On-Time Performance under Section 213 of the Passenger Rail and Improvement Act of 2008

Dear Ms. Brown:

The purpose of this letter is to provide comment from the Washington State Department of Transportation (WSDOT) on the NPRM for the STB proposed definition of on-time performance (OTP). WSDOT provides the following comments:

- The maximum number of minutes after a scheduled arrival time for final terminus point is greater than Washington and Oregon state contractual OTP requirements with Amtrak which allows for:

Up to 50 miles – 5 min  
51 to 250 miles – 10 min  
251 to 350 miles – 15 min

The STB proposed definition would result in increased trip time being recorded as on-time, lowering current standards. Increased OTP supports ridership growth, and lower (i.e. negative) OTP will reduce ridership for passenger rail service.

- Intermediate station stop (not terminus stations) maximum allowable time is not measured in OTP.

Thresholds should be considered for significant stations that are not located at the final terminus points. Washington and Oregon serve 18 stations along the Pacific Northwest Rail Corridor. Performance at these stations is important to Washington and Oregon residents and visitors.

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- It is uncertain if there will be financial impacts as a result of OTP performance payments between Amtrak and Host railroads that states are obligated to pay under PRIIA.

The proposed definition potentially affects incentive and penalty payments between Amtrak and the Host railroads. States are not a party to these agreements and the financial impact from the STB proposed definition to states under PRIIA is uncertain.

- The proposed definition should not exclude stricter OTP performance measures from being implemented between States, Amtrak, and Host railroads.

Washington State, Amtrak, and BNSF Railway Co. have entered into agreements, as a condition of receiving and implementing federal funding from Federal Rail Administration for passenger rail improvements, which contain reliability and delay thresholds. It is not clear how the proposed definition will affect these agreements.

- When a train's route includes traversing more than one Host railroad, the receiving carrier of a late-running train should not be penalized for the schedule deficiency inherited from the delivering railroad.

Continued improvement to the Amtrak Cascades service for increased reliability and ridership remains our top priority. Thank you for the opportunity to provide comment.

Sincerely,



Ron Pate, PLS  
Director, Rail Division

RP:jb

cc: Hal Gard, ODOT