



September 15, 2015

The Honorable John Thune
Chairman
Committee on Commerce, Science and Transportation
United States Senate
512 Dirksen Senate Office Building
Washington, D.C. 20510

Dear Senator Thune:

I am writing in response to your letter of September 4 in which you pose questions about implementation of Positive Train Control (PTC) by Sound Transit, the Central Puget Sound Regional Transit Authority.

By way of background, Sound Transit operates *Sounder* commuter rail service between Lakewood and Everett, Washington by way of downtown Seattle. We operate 10.4 miles of service on our own right-of-way and 72.5 miles on Burlington Northern Santa Fe (BNSF) right-of-way; all train operations are contracted with BSNF including dispatching. The success of Sound Transit's completion of PTC is dependent on BNSF's ability to complete PTC installation and certification on the two subdivisions that we operate in. *Sounder* is an extremely popular service here in the Puget Sound region, with more than 14,000 daily riders. In the last year, ridership has grown more than fifteen percent.

Since enactment of the Rail Safety Improvement Act in 2008, Sound Transit has been working to meet the December 31, 2015 deadline for implementation of PTC. We have worked closely with equipment suppliers and integrators, BNSF and the Federal Railroad Administration (FRA) to ensure steady progress toward the deadline. Wayside equipment has been installed along our service corridor, the *Sounder* fleet has been retrofitted with PTC signal equipment, wayside communication systems are programmed and functioning, and BNSF is providing trained operators. Right now, we are field testing our PTC system on our own right-of-way and working with BNSF to establish a field testing regime on their portion of our service territory. As field testing progresses, we will work with FRA to gain approval of our Revenue Service Demonstration Plan. Approval of our Revenue Service Demonstration Plan will enable Sound Transit to operate the PTC system while we carry passengers in regular service.

Full compliance with PTC will be achieved when the FRA approves our PTC Safety Plan upon their review of our performance during the Revenue Service Demonstration period. We intend to submit our Safety Plans soon as we have approval of the Revenue Service Demonstration Plan. The incremental reviews of these plans by the FRA have created schedule and process challenges.

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Joni Earl

Your letter asks for “information on the issues and challenges that could arise if Congress does not extend the statutory deadline.” Sound Transit is currently on schedule to have all PTC equipment installed, tested and commissioned as well as the necessary PTC plans submitted to the FRA for approval in advance of the year-end deadline. Sound Transit actively manages risks to projects throughout their development, implementation and operational launch. Currently there are three substantial risks identified for Positive Train Control implementation:

<u>Issue/Challenge identified</u>	<u>Action/Analysis to mitigate</u>
<ul style="list-style-type: none"> The specific PTC plans required are voluminous, technically dense, and specific to the individual railroad. It is uncertain that they will be reviewed and approved by the FRA before the deadline. 	<ul style="list-style-type: none"> ST conducts weekly phone calls with key FRA staff to check on status of plan development, reviews by FRA staff and answer questions in real time. In order to keep implementation efforts moving forward, ST is willing to advance project elements with verbal feedback from FRA rather than waiting for formal written correspondence.
<ul style="list-style-type: none"> Lack of clear understanding of the enforcement of civil penalties detailed in appendix A of 49CFR236 if all work has been completed but the final System Certification is still pending. 	<ul style="list-style-type: none"> ST is analyzing impacts of partial or complete suspension of service until Certification is received. ST is having active conversation with host railroad and partners about feasibility of temporary service modifications.
<ul style="list-style-type: none"> BNSF may suspend passenger service due to concerns about being non-compliant with statutory deadline, even if the FRA indicates service could continue. 	<ul style="list-style-type: none"> ST is staying in close communication with BNSF to ascertain potential action by the host railroad.

Sound Transit appreciates your interest and that of your Committee in our efforts to implement PTC, and we appreciate your efforts to explore challenges associated with this effort to help ensure we can continue to provide commuter rail service here in the Puget Sound.

Please contact me should you require any more information.

Sincerely,



Michael Harbour
Acting Chief Executive Officer

cc: U.S. Senator Maria Cantwell
U.S. Senator Patty Murray