



U.S. Department  
of Transportation

**Federal Railroad  
Administration**

1200 New Jersey Avenue, SE  
Washington, DC 20590

**FEB 10 2017**

Mr. Gregory M. Richardson  
General Director—Train Control Systems  
Union Pacific Railroad Company  
1400 Douglas Street, Mail Stop 0480  
Omaha, NE 68179

**Re: Docket Number FRA-2016-0108**

Dear Mr. Richardson:

This reply is in response to Union Pacific Railroad's (UP) November 2, 2016, petition to the Federal Railroad Administration (FRA) seeking a waiver of compliance from provisions of Title 49 Code of Federal Regulations Section 236.566, *Locomotive of each train operating in train stop, train control or cab signal territory; equipped.*

The request is for portions of the Portland Subdivision. The relief will allow the operation of Positive Train Control (PTC) in lieu of automatic cab signals (ACS).  
The areas of relief are:

- Between Milepost (MP) 81.6 and MP 15.6 (Westward).
- Between MP 15.6 and MP 81.6 (Eastward).
- Between MP 0.6 and MP 15.6 on the Graham Line.

FRA's Railroad Safety Board (Board) carefully reviewed the waiver request, FRA's field investigation findings, and FRA's technical staff findings. As a result, the Board determined that the waiver request is in the public interest and consistent with railroad safety. Accordingly, the Board granted conditional approval to the waiver as a pilot test to gather data under the following conditions:

1. UP will conduct a gap analysis of the two train control systems that will be operating jointly over this territory. This analysis of the safety of some trains operating with ACS and other trains operating with PTC will expose any safety issues, which will be reported to FRA and will be resolved jointly.
2. A PTC system must be installed and operative before operations without ACS may begin; the PTC system is successfully initialized; and a locomotive engineer trained and qualified in the operation of PTC is present for operation of the train.

3. A PTC train that encounters a PTC failure, including a disengaged state, is required to stop, cut in ACS and perform a departure test before continuing its trip.

This waiver expires December 31, 2018.

FRA reserves the right to modify or rescind this approval upon receipt of new information pertaining to safety of rail operations, or in the event of noncompliance with conditions contained in this letter.

In any future correspondence regarding this letter, please refer to Docket Number FRA-2016-0108.

If you have any questions regarding this letter, please contact Mr. Paul Weber, Railroad Safety Specialist, Signal and Train Control Division, at (202) 493-6258 or [Paul.Weber@dot.gov](mailto:Paul.Weber@dot.gov).

Sincerely,



Robert C. Lauby  
Associate Administrator for Railroad Safety  
Chief Safety Officer