



Surface Transportation Board
Washington, D.C. 20423-0001

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Office of the General Counsel

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Meeting under Section 5, STB Reauthorization Act

Office of Proceedings

February 28, 2020

December 18, 2019

Part of

Public Record

Present: Members Begeman, Fuchs, and Oberman
Staff Rachel Campbell, Anika Cooper, Ellen Erichsen, Sarah Fancher,
Amanda Gorski, Kim Hillenbrand, Craig Keats, Gabriel Meyer, Rebecca
Morrow, Lisa Novins, Valerie Quinn, John Rackson, Janie Sheng, Jennifer
Smith-Bozek, Julie Waddell, Amy Ziehm, Scott Zimmerman

Topic: EP 760, Exclusion of Demurrage Regulation from Certain Class
Exemptions

Summary of the Matters Discussed, Prepared by General Counsel Craig Keats:

At this meeting, staff and Board Members reviewed the comments and replies filed in response to the notice of proposed rulemaking issued on October 7, 2019. The notice proposed that the Board partially revoke certain class exemptions to enable affected shippers to bring demurrage cases to the Board. Staff and Members discussed the various issues and options raised by the comments and replies.

In particular, staff and Board Members discussed the following issues:

1. Background of the proceeding and the nature of the proposal.
2. Additional information provided by the various commenters.
3. Agency precedent on various issues raised.
4. Next steps.