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SERVICE DATE – JANUARY 7, 2021

SURFACE TRANSPORTATION BOARD

DECISION

Docket No. EP 704 (Sub-No. 1)

REVIEW OF COMMODITY, BOXCAR, AND TOFC/COFC EXEMPTIONS

Decided: January 7, 2021

Board staff held a technical conference on December 18, 2020, concerning a proposed approach developed by the Board’s Office of Economics (OE) for possible use in considering class exemption and revocation issues. The Board sought public comment on the approach by decision served September 30, 2020,¹ and comments and replies are currently due January 22, 2021 and February 22, 2021, respectively.

On December 23, 2020, the Association of American Railroads (AAR) filed a letter with the Board requesting that the Board ask Board staff to either (a) respond in writing to specific questions submitted in advance of the December 18 technical conference by AAR, as well as those submitted by AAR member railroads and other participants; or (b) reconvene the technical conference in order for Board staff to respond to those questions and allow participants to ask follow-up questions in real time.

The Board will reconvene the technical conference on January 15, 2021, at 10:00 a.m. ET. The technical conference will be held virtually via Zoom, and interested persons wishing to attend will be required to register in advance of the meeting. Registration is available at https://zoom.us/webinar/register/WN_xneMmduUTE2Hv14LOCwZIQ. Parties interested in participating should register by January 13, 2021, and will be asked to provide their name, organization, and position. Registrations will be accepted on a space-available basis. The technical conference will be recorded, and the link to the recording will be placed on the Board’s website at www.stb.gov, under the tab “News & Communications,” by clicking on “Meetings & Hearings.”

Because the technical conference will be reconvened, the Board will provide additional time for interested parties to file comments and replies on the proposed approach. Comments will be due January 29, 2021, and replies will be due March 1, 2021.

¹ See Review of Commodity, Boxcar, & TOFC/COFC Exemptions, EP 704 (Sub-No. 1), slip op. at 1, 6 (STB served Sept. 30, 2020).

It is ordered:

1. The technical conference will be reconvened on January 15, 2021, at 10:00 a.m. ET, as discussed above.

2. Parties interested in participating in the technical conference should register by January 13, 2021.

3. Comments in response to the Board's September 30, 2020 decision are due by January 29, 2021, and replies are due by March 1, 2021.

4. This decision is effective on the date of service.

By the Board, Allison C. Davis, Director, Office of Proceedings.