



Surface Transportation Board
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Meeting under Section 5, STB Reauthorization Act

April 9, 2020

Present: Members Begeman, Oberman, and Fuchs
Staff William Brennan, Rachel Campbell, Anika Cooper, Christopher Diamond, Ellen Erichsen, Amanda Gorski, Kim Hillenbrand, Craig Keats, Adam Kress, Lisa Novins, Francis O'Connor, Valerie Quinn, Andrew Read, Amy Ziehm, Scott Zimmerman

Topic: Docket No. EP 755, Final Offer Rate Review

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

At this meeting, staff briefed Board members on the status of the rulemaking proceeding initiated to consider a new final offer procedure for challenging the reasonableness of railroad rates in smaller cases. The Board's intent in proposing the final offer procedure was to provide a faster, less costly review of claims of unreasonable railroad rates. Comments in response to the proposal were filed by numerous interests, including railroad, shipper, government, and academic.

Staff and Board Members discussed the following issues:

1. The parties' arguments regarding the proposed final offer procedure.
2. Parties' suggestions for possible arbitration alternatives for smaller rate disputes.
3. Procedural options for potential ex parte meetings.