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January 3, 2023
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January 3, 2023

VIA E-FILING

The Honorable Cynthia T. Brown
Chief, Section of Administration,
Office of Proceedings
Surface Transportation Board
395 E Street, SW
Washington, DC 20423

Re: Joint Petition for Rulemaking to Establish a Voluntary Arbitration Program for
Small Rate Disputes
STB Docket No. EP 765

Dear Ms. Brown:

This letter is submitted by The Kansas City Southern Railway Company (KCSR) in support of the petition for stay filed in the above-captioned matter on December 29, 2022, by four other Class 1 railroads.

As one of the five parties that submitted the July 31, 2020 petition for rulemaking in this docket, KCSR supports the creation of a voluntary arbitration program for small rate case disputes. KCSR strongly believes that such a program is superior to other present or potential alternatives.

Having read the December 29, 2022, petition for stay filed by the other 4 carriers who joined in the July 31, 2020 petition for rulemaking, KCSR is concerned that granting the December 29 stay request may be the only way to preserve the option for shippers and carriers to enter into a functional ADR program that will best serve all stakeholders, given that the proposed ADR program would not survive any one carrier's decision not to opt into the program as currently proposed.

Sincerely,

DocuSigned by:

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David C. Reeves

cc: Parties of Record