

SERVICE DATE – DECEMBER 26, 2023

SURFACE TRANSPORTATION BOARD

DECISION

Docket No. EP 730 (Sub-No. 1)

ROSTER OF ARBITRATORS—ANNUAL UPDATE

Decided: December 19, 2023

Pursuant to 49 U.S.C. § 11708, the Board’s regulations establish a voluntary and binding arbitration process to resolve rail rate and practice complaints that are subject to the Board’s jurisdiction. Section 11708(f) provides that, unless parties otherwise agree, an arbitrator or panel of arbitrators shall be selected from a roster maintained by the Board. Accordingly, the Board’s rules establish a process for creating and maintaining a roster of arbitrators. 49 C.F.R. § 1108.6(b).

The Board most recently updated its roster of arbitrators by decision served February 17, 2023. The roster is published on the Board’s website at www.stb.gov (click the “Resources” tab, select “Litigation Alternatives” from the dropdown menu, click on the “Arbitration” link, and click on the “Roster of Arbitrators” link).

As provided under 49 C.F.R. § 1108.6(b), the Board updates the roster of arbitrators annually. Accordingly, the Board is now requesting the names and qualifications of new arbitrators who wish to be placed on the roster. Current arbitrators who wish to remain on the roster must notify the Board of their continued availability and confirm that the biographical information on file with the Board remains accurate and, if not, provide any necessary updates. Arbitrators who do not confirm their continued availability will be removed from the roster. This decision will be served on all current arbitrators.

Any person who wishes to be added to the roster should file an application that describes the applicant’s experience with rail transportation and economic regulation, as well as professional or business experience, including agriculture, in the private sector. The submission should also describe the applicant’s training in dispute resolution and/or experience in arbitration or other forms of dispute resolution, including the number of years of experience. Lastly, the submission should provide the applicant’s contact information and information on fees.

All comments—including filings from new applicants, updates to existing arbitrator information, and confirmations of continued availability—should be submitted either via e-filing on the Board’s website or in writing addressed to 395 E Street, S.W., Washington, DC 20423-0001 by January 25, 2024. The Board will assess each new applicant’s qualifications to determine which individuals can ably serve as arbitrators based on the criteria established under 49 C.F.R. § 1108.6(b). The Board will then establish an updated roster of arbitrators. The roster

will include a brief biographical sketch of each arbitrator, including information such as background, area(s) of expertise, arbitration experience, and geographical location, as well as contact information and fees. The roster will be published on the Board's website.

It is ordered:

1. Applications from persons interested in being added to the Board's roster of arbitrators, and confirmations of continued availability (with updates, if any, to existing arbitrator information) from persons currently on the arbitration roster, are due by January 25, 2024.
2. This decision will be served on all current arbitrators and published in the Federal Register.
3. This decision is effective on the date of service.

By the Board, Mai T. Dinh, Director, Office of Proceedings.