

**BEFORE THE
SURFACE TRANSPORTATION BOARD**

STB Docket No. FD 36281

ENTERED
Office of Proceedings
January 5, 2024
Part of
Public Record

**PETITION BY THE
SOUTHEASTERN PENNSYLVANIA TRANSPORTATION AUTHORITY
FOR RELIEF UNDER 49 U.S.C. § 24903**

**JOINT UPDATE TO THE BOARD ON STATUS
AND
JOINT MOTION TO CONTINUE HOLDING THE PROCEEDING IN ABEYANCE**

On August 24, 2023, the Board approved the Joint Motion of the Parties to Continue Holding the Proceeding in Abeyance while the Southeastern Pennsylvania Transportation Authority (“SEPTA”) and the National Railroad Passenger Corporation (“Amtrak”) negotiated certain issues in light of the U.S. Court of Appeals for the District of Columbia Circuit’s final decision in *Nat’l R.R. Passenger Corp. v. SEPTA*, Case No. 21-7021. The Board further required the parties to provide an update to the Board by January 5, 2024.

Since August 24, 2023, the parties have continued to negotiate in good faith but have been unable to reach a final agreement. Discussions continue, however, and the parties would like to continue negotiations in the hope of avoiding litigating in this proceeding.

Accordingly, the parties jointly move the Board to continue to hold these proceedings in abeyance to allow time for the parties to negotiate in the hope of resolving the outstanding issues without the need for further proceedings before the Board and to direct the parties to provide an update to the Board on the status of negotiations by February 20, 2024, which may include a proposal for continuing the abeyance or dismissal without prejudice. The parties believe that this

proposed abeyance is in the interest of justice and administrative efficiency by preserving the rights of the parties while avoiding the unnecessary use of the Board's time and resources.

CONCLUSION

For the foregoing reasons, the parties respectfully request that the Board continue to hold these proceedings in abeyance through February 20, 2024, and direct the parties to provide an update to the Board on the status of negotiations by February 20, 2024.



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