



Surface Transportation Board
Washington, D.C. 20423-0001

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Meeting under Section 5, STB Reauthorization Act

November 7, 2019

Present: Members Begeman, Fuchs, and Oberman
Staff Matt Bornstein, William Brennan, Anika Cooper, Allison Davis, Chris Diamond, Ellen Erichsen, Amanda Gorski, Craig Keats, Erik Light, Lisa Novins, Valerie Quinn, John Rackson

Topic: Docket No. NOR 42144 et al., North American Freight Car Ass'n et al. v. UP¹

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

At this meeting, staff briefed Board Members on the complaints filed by NAFCA and other complainants that raise various statutory-based allegations related to Union Pacific's Tariff 6004, Item 55-C (Item 55-C), which became effective on January 1, 2015.

Staff and Board Members discussed the following issues:

- The parties' arguments and evidence.
- Historical tank car usage and mileage allowances.
- Board precedent, including regarding mileage allowances and zero mileage rates.
- Options related to the complaints.

¹ This proceeding is consolidated with NOR 42150, 42152, 42153.