

SERVICE DATE—JANUARY 29, 2025

SURFACE TRANSPORTATION BOARD

DECISION

Docket No. NOR 42175

COMPLAINT AND PETITION OF THE NATIONAL RAILROAD PASSENGER CORP.
UNDER 49 U.S.C. § 24308(f)—FOR SUBSTANDARD PERFORMANCE OF AMTRAK’S
SUNSET LIMITED TRAINS 1 AND 2

Decided: January 29, 2025

On January 15, 2025, Amtrak filed a motion seeking expedited relief related to a filing in this matter.¹ A notice was issued by the agency informing the parties that the filing in question has been temporarily removed from the Board’s website while the Board considers the motion. See Complaint & Pet. of the Nat’l R.R. Passenger Corp. Under 49 U.S.C. § 24308(f)—for Substandard Performance of Amtrak’s Sunset Ltd. Trains 1 & 2, NOR 42175 (STB served Jan. 15, 2025). On January 16, 2025, the Board directed Amtrak to provide a status report regarding the parties’ efforts to resolve the subject of Amtrak’s motion. The Board also set January 21, 2025, as the deadline for any replies to Amtrak’s motion. All pleadings were required to be submitted as Highly Confidential.

On January 17, 2025, Amtrak filed the status report as well as a motion for further relief. On January 21, 2025, a reply to Amtrak’s motions was filed. In accordance with the Board’s instructions, these pleadings were filed as Highly Confidential. Additionally, during this timeframe, non-party reply statements submitted pursuant to the procedural schedule established in the Board’s August 19, 2024 decision were also filed. Amtrak’s status report, Amtrak’s motion for further relief, the reply to Amtrak’s motions, and the non-party reply statements have not yet been posted to the publicly available docket.²

Parties may review the non-party replies and inform the Board by January 31, 2025 whether and to what extent those replies implicate the issue raised in Amtrak’s motion.

¹ The contents of Amtrak’s motion were redacted as highly confidential information and, as such, the substance of the motion will not be disclosed here.

² Although the parties submitted public versions of their Highly Confidential filings in accordance with the Board’s regulations and the protective order issued in this proceeding, see 49 C.F.R. § 1104.14(a); Complaint & Pet. of the Nat’l R.R. Passenger Corp. Under 49 U.S.C. § 24308(f)—for Substandard Performance of Amtrak’s Sunset Ltd. Trains 1 & 2, NOR 42175, App. A, ¶ 13 (STB served Aug. 18, 2023), the Board is withholding the posting of the public versions temporarily to avoid the potential for inadvertent disclosure of information regarding the substance of Amtrak’s motions.

It is ordered:

1. The filings described above will not be posted to the publicly available docket until the Board directs otherwise.
2. Parties may inform the Board by January 31, 2025 whether and to what extent the non-party replies implicate the issue raised in Amtrak's motion. Such filings must be submitted as Highly Confidential.
3. This decision is effective on its date of service.

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