

SERVICE DATE – MARCH 5, 2025

SURFACE TRANSPORTATION BOARD

DECISION

Docket No. EP 558 (Sub-No. 28)

RAILROAD COST OF CAPITAL—2024

Decided: March 5, 2025

By a request filed on February 12, 2025, the Association of American Railroads (AAR) seeks an extension of the procedural schedule established by the Board in a decision initiating this proceeding, which was served on January 10, 2025 (January Decision).¹ AAR requests a 31-day extension of the remaining filing deadlines, which would change the deadlines for the statements of the railroads from March 14, 2025 to April 14, 2025, the statements of other interested persons from April 4, 2025 to May 5, 2025, and rebuttal statements by the railroads from April 25, 2025 to May 26, 2025. (AAR Mot. 1-2.)²

The Board initiated this annual proceeding approximately one month earlier than it has in recent years. And, as AAR has observed, the filing deadlines established by the January Decision were also set for approximately one month earlier. (See id. at 1 n.1 (citing R.R. Cost of Capital—2023, EP 558 (Sub-No. 27) (STB served Feb. 20, 2024) (establishing April 23, 2024, as the deadline for statements of the railroads); R.R. Cost of Capital—2022, EP 558 (Sub-No. 26) (STB served Feb. 7, 2023) (establishing April 11, 2023, as the deadline for statements of the railroads)).) The earlier timetable for this year’s proceeding is consistent with the Board’s endeavors to maximize efficiency throughout its processes.

AAR asserts that securing the underlying data for its forthcoming filing on behalf of the railroads is “proving challenging” under the current timeline, and that it will be rushed to finalize its submission by March 14, 2025. (AAR Mot. 1.) According to AAR, the extension is necessary “to ensure a high-quality work product.” (Id.)

AAR’s request to extend the filing deadline for statements of the railroads will be granted based on its assertion that the quality of its work product will be compromised absent the extension. AAR is nevertheless encouraged to submit its statement on behalf of the railroads at the earliest date possible.

¹ On February 7, 2025, AAR and the Western Coal Traffic League (WCTL) filed notices of intent to participate in this proceeding. WCTL has not indicated that it opposes AAR’s request to extend the procedural schedule.

² For many years, AAR has filed on behalf of the railroads.

Under the revised procedural schedule, AAR's statement on behalf of the railroads will be due by April 14, 2025. Statements of other interested persons will be due 20 days after the date AAR files its statement. Any rebuttal statement(s) by or on behalf of the railroads will be due 40 days after the date AAR files its initial statement.

It is ordered:

1. AAR's request to extend the procedural schedule is granted in part.
2. AAR's statement on behalf of the railroads will be due by April 14, 2025, but should be filed earlier if possible. Statements of other interested persons will be due 20 days after the date AAR files its statement. Any rebuttal statement(s) by or on behalf of the railroads will be due 40 days after the date AAR files its initial statement.
3. This decision is effective on its service date.

By the Board, Scott M. Zimmerman, Acting Director, Office of Proceedings.