

January 17, 2017

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BY E-FILING

Ms. Cynthia T. Brown
Chief of Administration
Office of Proceedings
Surface Transportation Board
395 E Street, S.W.
Washington, D.C. 20423

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January 17, 2017
Part of
Public Record

RE: EP 730 Sub-No. 1, Revisions to Arbitration Procedures

Dear Ms. Brown:

Pursuant to the Board's order dated December 2, 2016, I wish to be included in the Board's updated list of potential arbitrators and mediators. I had previously submitted such a request back in 2001.

I am a lawyer who has specialized in representing short line and regional railroads, public agencies, lenders, and investors as well as parties wishing to fund, operate, or provide private railroad passenger service. I have participated in numerous proceedings held by the Board and the Interstate Commerce Commission as well as before the Second, Third, Fourth, Seventh, and District of Columbia Circuits of the United States Court of Appeals as well as the Special Court established under the Regional Rail Reorganization Act. My practice also includes representing rail carrier and railroad-related clients in commercial and transactional matters involving the purchase, sale, and financing of railroads, railroad lines, and railroad equipment. I am one of the very few attorneys who has represented short line and regional railroads in line construction petitions involving the National Environmental Policy Act and the National Historic Preservation Act. Moreover, I am one of the few attorneys in private practice who understands freight and passenger railroad operations.

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As to my arbitration experience, I have represented clients in commercial disputes conducted under the auspices of the American Arbitration Association and the Association of American Railroads. I have also represented clients in private mediations and mediations conducted by the Board.

I have written and spoken extensively on railroad topics before the American Short Line and Regional Railroad Association, the Standing Conference on Rail Transportation, the American Public Transportation Association, the Transportation Research Board, *Railway Age*, and on WAMU Radio's Kojo Nnamdi show.

My government experience includes three years as a staff attorney with the Office of Proceedings of the Interstate Commerce Commission and two and one half years with the former US Railway Association. I have been associated with Strasburger & Price since October 2011.

I would be pleased to serve the Board as an arbitrator or mediator. My fee would range from \$400 to \$500 per hour depending upon the matter.

Sincerely yours,



John D. Heffner