

# Holland & Knight

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*Via E-mail*

Mr. Scott Zimmerman  
Acting Director  
Office of Proceedings  
Surface Transportation Board  
395 E Street, S.W.  
Washington, D.C. 20423

Re: Docket No. EP 730 (Sub-No. 1) Revisions to Arbitration Procedures

Dear Mr. Zimmerman:

In response to the Board's order of December 22, 2017, I would like to be considered for inclusion in the Board's updated list of potential arbitrators and mediators.

Before retiring from CSX Transportation, Inc. in May of 2017, I was General Commerce Counsel, a vice president level position within the company's legal department responsible for Surface Transportation Board matters, as well as intercarrier arrangements, and all commercial matters involving railroad customers.

I began practice before the Interstate Commerce Commission in 1978, and have been involved in a wide range of STB matters since the passage of the ICC Termination Act of 1995. Some of the substantive areas in which I have experience include:

- Stand-alone cost maximum rate cases
- Three-benchmark maximum rate cases
- Unreasonable practice matters and proceedings
- Line rationalization issues
- Carrier-Shipper disputes including demurrage, freight loss and damage, tariff application, and contract interpretation
- Intercarrier disputes (e.g., interlocking, joint use, and detour agreements)
- Trackage rights agreements and disputes

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Los Angeles | Miami | New York | Orlando | Portland | San Francisco | Stamford | Tallahassee | Tampa | Tysons  
Washington, D.C. | West Palm Beach

- Freight car use and compensation (private and railroad marked cars)
- Rail transportation contracts
- Class I – Short Line agreements and disputes
- Association of American Railroads Rules
- Major consolidation proceedings (CSX-NS acquisition of Conrail)

In my time as in-house counsel to a Class I carrier, I have participated in numerous arbitrations and mediations, including STB-sponsored mediations. I believe I have a good sense of what works in mediation and what does not.

I have created, and for three years taught, a course in Railroad Litigation and Regulation at Florida Coastal School of Law as an Adjunct Professor.

I participated in the negotiation and writing of the original National Grain and Feed Association Rail Arbitration Rules, and have had responsibility for, or counseled those with responsibility for, several matters resolved under that process.

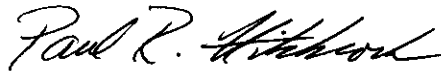
Although a member in good standing of the Ohio Bar since 1976, in my current position as Senior Policy Advisor at Holland & Knight LLP, I do not practice law, but do support the firm's attorneys in their representation of Class I's, short lines, and rail customers. Some recent articles can be found on the firm's Transportation Blog at [www.HKTransportationBlog.com](http://www.HKTransportationBlog.com).

It would be an honor to be added to the Board's list of potential arbitrators and mediators. My billing rate would range between \$450 and \$600 per hour, depending upon the matter, or as otherwise agreed with the parties.

I thank the Members for considering my interest.

Very truly yours,

HOLLAND & KNIGHT LLP



Paul R. Hitchcock

PRH:kmg