

**BEFORE THE
SURFACE TRANSPORTATION BOARD**

ENTERED
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January 9, 2017
Part of
Public Record

Docket No. EP 711 (Sub-No. 1)

RECIPROCAL SWITCHING

MOTION TO INCORPORATE

submitted by

THE SHIPPER COALITION FOR RAILROAD COMPETITION

The Agricultural Retailers Association
Alliance of Automobile Manufacturers
American Chemistry Council
American Fuel and Petrochemical Manufacturers
American Petroleum Institute
Chlorine Institute
The Fertilizer Institute
Glass Packaging Institute
National Association of Chemical Distributors
The National Industrial Transportation League

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Dated: January 9, 2017

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EXPEDITED CONSIDERATION REQUESTED

Pursuant to 49 CFR § 1117.1, the Shipper Coalition for Railroad Competition (“Shipper Coalition”) hereby requests that the Surface Transportation Board (“Board”) incorporate into the record in the above-captioned proceeding all filings and decisions from the related underlying proceeding known as Ex Parte No. 711, Petition for Rulemaking to Adopt Revised Competitive Switching Rules. The issues under consideration in the current proceeding are closely related to those considered in EP 711; indeed, the current rulemaking is a direct response to the Petition for Rulemaking filed in EP 711. The Shipper Coalition and presumably other parties participating in the current proceeding may rely upon, expand upon, or refer to evidence submitted in EP 711. As a matter of administrative efficiency and economy, it would be helpful and appropriate for the Board to incorporate the EP 711 filings and decisions into the current proceeding. Otherwise, parties would be required to reproduce and attach copies of the earlier filings which would be unnecessarily administratively burdensome and costly based on the size and length of the prior

filings. The Board has previously incorporated earlier filings in subsequent related proceedings. See, e.g., Review of Commodity, Boxcar, and TOFC/COFC Exemptions, STB Ex Parte No. 704 (Sub-No. 1), slip op. at 10 (n. 15) (served Mar. 23, 2016).

For all the reasons set forth herein, the Shipper Coalition respectfully requests that the Board order that the filings and decisions in Ex Parte No. 711 be incorporated into the record in Ex Parte 711 (Sub-No. 1). Given that Reply Comments are due in this proceeding in just a few days, on Friday, January 13, the Shipper Coalition also **requests that the Board issue a decision in response to this Motion to Incorporate as expeditiously as possible, and preferably no later than Thursday evening January 12.**

Respectfully Submitted,

The Shipper Coalition for Rail Competition

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By counsel:

A handwritten signature in black ink, appearing to read "Karyn Booth", written over a horizontal line.

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