

SERVICE DATE – AUGUST 6, 2019

SURFACE TRANSPORTATION BOARD

DECISION

Docket No. EP 542 (Sub-No. 27)

REGULATIONS GOVERNING FEES FOR SERVICES PERFORMED
IN CONNECTION WITH LICENSING AND RELATED SERVICES—2019 UPDATE

Decided: July 31, 2019

Digest:¹ This decision updates the Board’s user fees to reflect 2019 cost levels. Pursuant to this update, 93 fees will be increased, and 42 fees will be maintained at current levels.

BACKGROUND

The Surface Transportation Board (STB or Board) is required to update its user fees at least once per year. See 49 C.F.R. § 1002.3(a). The Board’s last annual user-fee update was issued in Regulations Governing Fees for Services Performed in Connection with Licensing & Related Services—2018 Update (2018 Fee Update), EP 542 (Sub-No. 26) (STB served Aug. 6, 2018), and became effective September 5, 2018. This decision updates the Board’s fees based on the cost study formula set forth at 49 C.F.R. § 1002.3(d) and other relevant factors.

RESULTS FROM THE 2019 UPDATE

The Board’s current master schedule of fees, see 49 C.F.R. §§ 1002.1 and 1002.2, contains 135 fee items.² As discussed further below, as a result of this 2019 update, 93 fees will increase and 42 fees will remain unchanged.

¹ The digest constitutes no part of the decision of the Board but has been prepared for the convenience of the reader. It may not be cited to or relied upon as precedent. Policy Statement on Plain Language Digests in Decisions, EP 696 (STB served Sept. 2, 2010).

² Last year, the master schedule of fees contained 133 fee items. In Water Carrier Tariff Filing Procedures, EP 743, slip op. at 7 (STB served May 9, 2019), the Board expanded 49 C.F.R. § 1002.2(f)(78) to include a fee item relating to water carrier annual certifications as part of broader modifications to the Board’s water carrier regulations. See also, Payment, Filing, and Service Procedures, EP 747 (STB served Mar. 22, 2019).

2019 UPDATE FACTORS

The factors that bear on the full-cost calculation of the Board's fee items are direct labor costs, government fringe benefit cost, and three types of overhead costs: the Operations Overhead factor, the Office Overhead factor, and the Support Services Overhead factor.

Direct Labor. Direct labor costs for 2019 reflect a combined Government-wide 1.4% general and 0.87% locality salary increase that took effect in January 2019. See Exec. Order No. 13,866, 84 Fed. Reg. 12,853 (Mar. 28, 2019).³

Government Fringe Benefits. No updates have been issued with respect to the Government Fringe Benefit Cost factor. Therefore, the Government Fringe Benefit Cost factor used in the update formula remains at 56.25%.⁴

Operations Overhead. The Operations Overhead factor accounts for the time devoted by Office Directors, Deputy Directors, and any Directors' assistants or administrative staff. Based on fiscal year (FY) 2018 labor data, the updated Operations Overhead factor is 20.64%, a 1.97 percentage point increase from last year's level of 18.67%.

Office Overhead. The Office Overhead factor accounts for non-labor costs in the following seven categories: (1) Property Movement; (2) Rent and Utilities; (3) Printing; (4) Services to the Board; (5) Materials and Supplies; (6) Equipment Procurement; and (7) Property Indemnities/Other-Legal Settlement. Based on FY 2018 levels, the Office Overhead factor is 34.82%, a 2.16 percentage point increase over last year's level of 32.66%.

Support Services Overhead. The Support Services Overhead factor accounts for the time devoted to all Board-wide support services, such as the mailroom staff, the information technology department, the financial services department, and the human resources department. This factor decreased from 13.47% to 12.23%, a 1.24 percentage point decrease from last year's decision.

The 2019 full cost level for each fee item developed from the cost factors discussed above is set forth in column 10 of Appendix A.⁵

³ A listing of the hourly fees by employee grade and step level is available at: https://www.stb.gov/stb/public/resources_fees.html.

⁴ In accordance with instructions from the Office of Management and Budget, and based on past Board precedent, the component parts of the Government Fringe Benefit Cost factor remain unchanged from the 2018 Fee Update.

⁵ The exact overhead factors utilized in Appendix A are as follows: Operations Overhead factor = 0.20639969; Office Overhead factor = 0.34823493; and Support Services Overhead factor = 0.12229538.

FULL COST RESULTS

Increases to direct labor costs and changes to all three of the Board's overhead cost factors contribute to bottom-line results for each fee item in the schedule. As a result, 93 of the Board's 135 fee schedule items (or 68.9%) must be increased to cover the complete 2019 full cost levels⁶ as compared to the 2018 Fee Update full cost levels.⁷ See 49 C.F.R. § 1002.3(e).

Certain fees remain unchanged because the Board has capped certain filing fees out of a concern that higher fees for particular matters could have a chilling effect on the ability of some parties to bring an issue to the Board's attention, or because certain types of actions were deemed to benefit the general public. There have been no changes to the number of capped fee items. The following categories of fees are capped: (1) formal complaint fees;⁸ (2) six specific fee items introduced and capped by the Board in 2002;⁹ and (3) certain other fees that historically have been held well below the full cost level.¹⁰

⁶ Fees are always rounded down, even if the fraction is more than 0.5. See 49 C.F.R. § 1002.3(e).

⁷ As noted earlier, in May 2019, the Board modified its water carrier regulations. Specifically, the Board redesignated 49 C.F.R. § 1002.2(f)(78) as 49 C.F.R. § 1002.2(f)(78)(i) and expanded 49 C.F.R. § 1002.2(f)(78) to include a fee item related to water carrier annual certification at 49 C.F.R. § 1002.2(f)(78)(ii). That decision set the fee for annual certifications under (78)(ii) as the minimum charge for tariffs under (78)(i). See Water Carrier Tariff Filing Procedures, EP 743, slip op. at 3 n.8, 7. Although there was no cost information in the 2018 Fee Update for water carrier annual certifications, the Board here will apply the cost information from 2018 for tariffs under (78)(i) to the annual certifications under (78)(ii).

⁸ Formal complaint fees are capped at \$350 or less by Board action. See Regs. Governing Fees for Servs., EP 542 (Sub-No. 18) (STB served July 7, 2011).

⁹ See Regs. Governing Fees for Servs. Performed in Connection with Licensing & Related Servs.—2002 New Fees, EP 542 (Sub-No. 4) (STB served Aug. 29, 2002). These six capped fees items are: requests for determinations of a dispute involving a rail construction that crosses the line of another carrier (item 12(iv)); formal complaints involving rail maximum rates filed under the Three Benchmark methodology (item 56(iii)); requests for an order compelling a rail carrier to establish a common carrier rate (item 56(vi)); requests for expedited or temporary relief for service emergency or service inadequacy (items 63(i) and 63(ii), respectively); and basic fees for STB adjudicatory services not otherwise covered (item 88).

¹⁰ These fees include trail use condition requests (item 27(i)); Amtrak conveyance and compensation proceedings (items 47 and 48, respectively); labor arbitration proceedings (item 60); appeals of Board decisions (item 61(i)); motor carrier undercharge proceedings (item 62); feeder line development program application (item 13); petitions for declaratory order involving a dispute over an existing rate or practice (item 58(i)); and all other petitions for declaratory order (item 58(ii)).

Capped fees are occasionally adjusted, and the Board continues to monitor them. Consistent with previous adjustments in 2004 and 2009, the Board raised 11 of the capped fee items listed in footnotes 9 and 10 from \$250 to \$300 in 2014.¹¹ These same 11 capped fee items have been held constant for the past five years and are for types of cases in which the full costs are substantially greater than the current \$300 fee. Therefore, consistent with the previous periodic increases in these fees in 2004, 2009, and 2014, the Board will impose a \$50 increase to each of these items, from \$300 to \$350.¹²

FEDERAL REGISTER COST

There is no change in publication costs from the 2018 Fee Update decision. The United States Government Printing Office (GPO) has set Federal Register publication costs at \$151 per column in GPO Circular Letter No. 1003 on Mar. 28, 2018. Thus, the 2018 Fee Update decision publication cost levels remain unchanged and are used here.

COMPARISON OF FEE LEVELS FOR YEARS 2018 AND 2019

In order to show clearly the changes to user fees, a comparison table between the new 2019 fee levels and last year's 2018 fee levels is provided in Appendix C. The changes are summarized in the following table:

Fee Item Change Category:	Number of User Fees	Percent of Total User Fee Schedule
No Change in Fee	42	31.1%
Increases of \$1 to \$50	30	22.2%
Increases of \$100	15	11.1%
Increases of \$200 to \$300	13	9.6%
Increases of \$400 to \$500	17	12.6%
Increases of \$700 to \$4,000	10	7.4%
Increases of \$15,900 to \$79,600	8	5.9%
TOTAL	135	100%

NOTICE AND COMMENT REQUIREMENT

The fee changes adopted here generally are a product of the mechanical application of the current update formula at 49 C.F.R. § 1002.3(d), which was adopted through notice and

¹¹ See Regs. Governing Fees for Servs. Performed in Connection with Licensing & Related Servs.—2014 Update, EP 542 (Sub-No. 22), slip op. at 5-6 (STB served July 11, 2014); Regs. Governing Fees for Servs. Performed in Connection with Licensing & Related Servs.—2009 Update, EP 542 (Sub-No. 16) (STB served May 5, 2009); Regs. Governing Fees for Servs. Performed in Connection with Licensing & Related Servs.—2004 Update, EP 542 (Sub-No. 11) (STB served Oct. 1, 2004).

¹² Items 12(iv), 56(vi), 63(i), 63(ii), 88, 27(i), 47, 48, 60, 61(i), and 62 will increase from \$300 to \$350.

comment procedures in Regulations Governing Fees for Services Performed in Connection with Licensing & Related Services—1987 Update, 4 I.C.C.2d 137 (1987), as well as existing Board policy regarding capped fees. Additionally, this decision does not contain any new proposed fee items, but does contain expansion of existing fee items 1002.2(f)(78) and 1002.1(f)(1).

Therefore, as with prior fee updates, the Board finds good cause to conclude that notice and comment are unnecessary for this proceeding. See 5 U.S.C. § 553(b); Regs. Governing Fees for Servs. Performed in Connection with Licensing & Related Servs.—2013 Update, EP 542 (Sub-No. 21), slip op. at 6 (STB served Aug. 28, 2013).

It is ordered:

1. Title 49, part 1002, of the Code of Federal Regulations is amended as indicated in Appendix B. Notice of the final rules adopted here will be transmitted to Congress pursuant to the Contract with America Advancement Act of 1996, Pub. L. No. 104-21, 110 Stat. 847-75.

2. Notice of this decision will be published in the Federal Register.

3. These rules are effective on September 6, 2019.

By the Board, Board Members Begeman, Fuchs, and Oberman.

Appendix A

FEE	2018 DIRECT LABOR	2019 DIRECT LABOR UPDATE [(2018 LEVEL X INCR. (2.27%)]	(56.25%) GOVT. FRINGES	TOTAL SUM (3-4)	(20.64%) OPERATIONS OVERHEAD	(34.82%) OFFICE G&A	(12.23%) BOARD G&A	PUBLICATION COSTS	TOTAL SUM (5-9)
1	2	3	4	5	6	7	8	9	10
1	\$1,888.67	\$1,931.54	\$1,086.49	\$3,018.04	\$622.92	\$1,267.91	\$600.33	\$4.00	\$5,513.20
2i	\$796.24	\$814.31	\$458.05	\$1,272.37	\$262.62	\$534.53	\$253.09	\$179.61	\$2,502.22
2ii	\$1,235.44	\$1,263.48	\$710.71	\$1,974.19	\$407.47	\$829.38	\$392.70	\$323.80	\$3,927.55
2iii*	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$3,263.17
3	\$11,707.09	\$11,972.84	\$6,734.72	\$18,707.56	\$3,861.24	\$7,859.24	\$3,721.21	\$179.61	\$34,328.87
4i	\$1,888.67	\$1,931.54	\$1,086.49	\$3,018.04	\$622.92	\$1,267.91	\$600.33	\$179.61	\$5,688.81
4ii	\$45.39	\$46.42	\$26.11	\$72.53	\$14.97	\$30.47	\$14.43	\$0.00	\$132.40
5	\$213.02	\$217.86	\$122.54	\$340.40	\$70.26	\$143.01	\$67.71	\$5.00	\$626.37
6	\$609.58	\$623.42	\$350.67	\$974.09	\$201.05	\$409.23	\$193.76	\$259.53	\$2,037.66
11i	\$3,036.60	\$3,105.53	\$1,746.86	\$4,852.39	\$1,001.53	\$2,038.54	\$965.21	\$151.00	\$9,008.68
11ii	\$650.23	\$664.99	\$374.06	\$1,039.05	\$214.46	\$436.51	\$206.68	\$276.84	\$2,173.55
11iii	\$5,287.46	\$5,407.49	\$3,041.71	\$8,449.20	\$1,743.91	\$3,549.60	\$1,680.67	\$179.61	\$15,602.99
12i	\$31,733.08	\$32,453.42	\$18,255.05	\$50,708.47	\$10,466.21	\$21,303.16	\$10,086.66	\$194.14	\$92,758.65
12ii	\$650.23	\$664.99	\$374.06	\$1,039.05	\$214.46	\$436.51	\$206.68	\$276.84	\$2,173.55

* There are several fee items, such as item 2iii, which list a total sum in column 10 without broken-out costs in columns 2 through 9. The full costs for these items were not computed through a time-and-motion study. Instead, they were estimated in a prior fee update or in specific decisions, based either on a comparable fee item (e.g., the costs for non-rail-related petitions to revoke were based upon the costs for rail-related petitions to revoke) or through a special calculation intended to lower the user fee below actual full costs (e.g., complaints for small rate cases—Three Benchmark).

FEE	2018 DIRECT LABOR	2019 DIRECT LABOR UPDATE [(2018 LEVEL X INCR. (2.27%)]	(56.25%) GOVT. FRINGES	TOTAL SUM (3-4)	(20.64%) OPERATIONS OVERHEAD	(34.82%) OFFICE G&A	(12.23%) BOARD G&A	PUBLICATION COSTS	TOTAL SUM (5-9)
1	2	3	4	5	6	7	8	9	10
12iii	\$31,733.08	\$32,453.42	\$18,255.05	\$50,708.47	\$10,466.21	\$21,303.16	\$10,086.66	\$194.14	\$92,758.65
12iv	\$6,303.71	\$6,446.80	\$3,626.33	\$10,073.13	\$2,079.09	\$4,231.83	\$2,003.69	\$0.00	\$18,387.75
13	\$9,746.80	\$9,968.05	\$5,607.03	\$15,575.08	\$3,214.69	\$6,543.26	\$3,098.11	\$176.17	\$28,607.31
14i	\$2,570.61	\$2,628.96	\$1,478.79	\$4,107.75	\$847.84	\$1,725.71	\$817.09	\$179.61	\$7,678.01
14ii	\$650.23	\$664.99	\$374.06	\$1,039.05	\$214.46	\$436.51	\$206.68	\$276.84	\$2,173.55
14iii	\$2,741.45	\$2,803.68	\$1,577.07	\$4,380.75	\$904.19	\$1,840.40	\$871.40	\$198.20	\$8,194.93
15	\$656.40	\$671.30	\$377.61	\$1,048.91	\$216.49	\$440.66	\$208.64	\$154.44	\$2,069.14
16	\$2,483.57	\$2,539.95	\$1,428.72	\$3,968.67	\$819.13	\$1,667.28	\$789.43	\$220.12	\$7,464.62
17	\$8,961.25	\$9,164.67	\$5,155.13	\$14,319.80	\$2,955.60	\$6,015.90	\$2,848.42	\$151.00	\$26,290.71
21i	\$9,389.59	\$9,602.73	\$5,401.54	\$15,004.27	\$3,096.88	\$6,303.45	\$2,984.57	\$151.00	\$27,540.17
21ii	\$1,401.68	\$1,433.50	\$806.34	\$2,239.84	\$462.30	\$940.98	\$445.54	\$383.24	\$4,471.90
21iii	\$2,602.27	\$2,661.34	\$1,497.00	\$4,158.35	\$858.28	\$1,746.96	\$827.16	\$220.12	\$7,810.87
22	\$203.06	\$207.67	\$116.81	\$324.48	\$66.97	\$136.32	\$64.54	\$0.00	\$592.32
23	\$810.23	\$828.62	\$466.10	\$1,294.72	\$267.23	\$543.93	\$257.54	\$0.00	\$2,363.42
24	\$775.33	\$792.93	\$446.02	\$1,238.95	\$255.72	\$520.50	\$246.45	\$0.00	\$2,261.62
25	\$666.90	\$682.04	\$383.65	\$1,065.69	\$219.96	\$447.71	\$211.98	\$0.00	\$1,945.33
26	\$9,663.88	\$9,883.25	\$5,559.33	\$15,442.58	\$3,187.34	\$6,487.59	\$3,071.76	\$0.00	\$28,189.27
27i	\$500.02	\$511.37	\$287.65	\$799.02	\$164.92	\$335.68	\$158.94	\$0.00	\$1,458.54
27ii	\$196.09	\$200.54	\$112.80	\$313.35	\$64.67	\$131.64	\$62.33	\$0.00	\$571.99
36	\$8,004.76	\$8,186.47	\$4,604.89	\$12,791.36	\$2,640.13	\$5,373.78	\$2,544.39	\$179.61	\$23,529.27
37	\$4,286.92	\$4,384.23	\$2,466.13	\$6,850.36	\$1,413.91	\$2,877.91	\$1,362.64	\$179.61	\$12,684.44
38i	\$633,305.49	\$647,681.52	\$364,320.86	\$1,012,002.38	\$208,876.98	\$425,152.84	\$201,302.13	\$5,549.35	\$1,852,883.69
38ii	\$126,663.63	\$129,538.89	\$72,865.63	\$202,404.52	\$41,776.23	\$85,032.27	\$40,261.23	\$1,109.86	\$370,584.11
38iii	\$2,570.61	\$2,628.96	\$1,478.79	\$4,107.75	\$847.84	\$1,725.71	\$817.09	\$1,418.89	\$8,917.28

FEE	2018 DIRECT LABOR	2019 DIRECT LABOR UPDATE [(2018 LEVEL X INCR. (2.27%)]	(56.25%) GOVT. FRINGES	TOTAL SUM (3-4)	(20.64%) OPERATIONS OVERHEAD	(34.82%) OFFICE G&A	(12.23%) BOARD G&A	PUBLICATION COSTS	TOTAL SUM (5-9)
1	2	3	4	5	6	7	8	9	10
38iv	\$609.58	\$623.42	\$350.67	\$974.09	\$201.05	\$409.23	\$193.76	\$259.53	\$2,037.66
38v	\$2,570.61	\$2,628.96	\$1,478.79	\$4,107.75	\$847.84	\$1,725.71	\$817.09	\$1,418.89	\$8,917.28
38vi	\$3,923.92	\$4,012.99	\$2,257.31	\$6,270.30	\$1,294.19	\$2,634.22	\$1,247.26	\$179.61	\$11,625.58
38vii	\$2,360.93	\$2,414.52	\$1,358.17	\$3,772.69	\$778.68	\$1,584.95	\$750.44	\$0.00	\$6,886.77
39i	\$633,305.49	\$647,681.52	\$364,320.86	\$1,012,002.38	\$208,876.98	\$425,152.84	\$201,302.13	\$5,549.35	\$1,852,883.69
39ii	\$126,663.63	\$129,538.89	\$72,865.63	\$202,404.52	\$41,776.23	\$85,032.27	\$40,261.23	\$1,109.86	\$370,584.11
39iii	\$2,570.61	\$2,628.96	\$1,478.79	\$4,107.75	\$847.84	\$1,725.71	\$817.09	\$1,418.89	\$8,917.28
39iv	\$442.44	\$452.48	\$254.52	\$707.01	\$145.93	\$297.02	\$140.63	\$279.35	\$1,569.94
39v	\$2,570.61	\$2,628.96	\$1,478.79	\$4,107.75	\$847.84	\$1,725.71	\$817.09	\$1,418.89	\$8,917.28
39vi	\$3,923.92	\$4,012.99	\$2,257.31	\$6,270.30	\$1,294.19	\$2,634.22	\$1,247.26	\$179.61	\$11,625.58
39vii	\$2,360.93	\$2,414.52	\$1,358.17	\$3,772.69	\$778.68	\$1,584.95	\$750.44	\$0.00	\$6,886.77
40i	\$633,305.49	\$647,681.52	\$364,320.86	\$1,012,002.38	\$208,876.98	\$425,152.84	\$201,302.13	\$5,549.35	\$1,852,883.69
40ii	\$126,663.63	\$129,538.89	\$72,865.63	\$202,404.52	\$41,776.23	\$85,032.27	\$40,261.23	\$1,109.86	\$370,584.11
40iii	\$2,570.61	\$2,628.96	\$1,478.79	\$4,107.75	\$847.84	\$1,725.71	\$817.09	\$1,418.89	\$8,917.28
40iv	\$409.80	\$419.10	\$235.75	\$654.85	\$135.16	\$275.11	\$130.26	\$228.41	\$1,423.78
40v	\$2,570.61	\$2,628.96	\$1,478.79	\$4,107.75	\$847.84	\$1,725.71	\$817.09	\$1,418.89	\$8,917.28
40vi	\$3,923.92	\$4,012.99	\$2,257.31	\$6,270.30	\$1,294.19	\$2,634.22	\$1,247.26	\$179.61	\$11,625.58
40vii	\$2,360.93	\$2,414.52	\$1,358.17	\$3,772.69	\$778.68	\$1,584.95	\$750.44	\$0.00	\$6,886.77
41i	\$633,305.49	\$647,681.52	\$364,320.86	\$1,012,002.38	\$208,876.98	\$425,152.84	\$201,302.13	\$5,549.35	\$1,852,883.69
41ii	\$126,663.63	\$129,538.89	\$72,865.63	\$202,404.52	\$41,776.23	\$85,032.27	\$40,261.23	\$1,109.86	\$370,584.11
41iii	\$2,570.61	\$2,628.96	\$1,478.79	\$4,107.75	\$847.84	\$1,725.71	\$817.09	\$1,418.89	\$8,917.28
41iv	\$487.24	\$498.30	\$280.29	\$778.59	\$160.70	\$327.10	\$154.87	\$258.86	\$1,680.12
41v	\$2,570.61	\$2,628.96	\$1,478.79	\$4,107.75	\$847.84	\$1,725.71	\$817.09	\$1,418.89	\$8,917.28
41vi	\$2,741.45	\$2,803.68	\$1,577.07	\$4,380.75	\$904.19	\$1,840.40	\$871.40	\$198.20	\$8,194.93

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1	2	3	4	5	6	7	8	9	10
41vii	\$2,360.93	\$2,414.52	\$1,358.17	\$3,772.69	\$778.68	\$1,584.95	\$750.44	\$0.00	\$6,886.77
42	\$879.91	\$899.88	\$506.18	\$1,406.07	\$290.21	\$590.70	\$279.69	\$327.17	\$2,893.84
43	\$29,696.30	\$30,370.41	\$17,083.35	\$47,453.76	\$9,794.44	\$19,935.82	\$9,439.25	\$179.61	\$86,802.89
44i	\$5,440.47	\$5,563.97	\$3,129.73	\$8,693.70	\$1,794.38	\$3,652.32	\$1,729.30	\$179.61	\$16,049.31
44ii	\$45.39	\$46.42	\$26.11	\$72.53	\$14.97	\$30.47	\$14.43	\$0.00	\$132.40
45	\$337.90	\$345.57	\$194.38	\$539.95	\$111.45	\$226.84	\$107.40	\$0.00	\$985.64
46	\$3,339.31	\$3,415.11	\$1,921.00	\$5,336.11	\$1,101.37	\$2,241.76	\$1,061.43	\$179.61	\$9,920.29
47	\$64,228.23	\$65,686.21	\$36,948.49	\$102,634.70	\$21,183.77	\$43,117.92	\$20,415.55	\$0.00	\$187,351.94
48	\$77,902.00	\$79,670.38	\$44,814.59	\$124,484.96	\$25,693.66	\$52,297.44	\$24,761.89	\$0.00	\$227,237.95
56i	\$177,859.29	\$181,896.70	\$102,316.89	\$284,213.59	\$58,661.60	\$119,401.12	\$56,534.26	\$0.00	\$518,810.55
56ii	\$17,646.66	\$18,047.24	\$10,151.57	\$28,198.81	\$5,820.23	\$11,846.62	\$5,609.16	\$0.00	\$51,474.81
56iii	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$150.00
56iv	\$17,646.66	\$18,047.24	\$10,151.57	\$28,198.81	\$5,820.23	\$11,846.62	\$5,609.16	\$0.00	\$51,474.81
56v	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$150.00
56vi	\$21,994.87	\$22,494.15	\$12,652.96	\$35,147.11	\$7,254.35	\$14,765.67	\$6,991.28	\$0.00	\$64,158.42
57	\$3,784.97	\$3,870.89	\$2,177.37	\$6,048.26	\$1,248.36	\$2,540.94	\$1,203.09	\$0.00	\$11,040.65
58i	\$3,555.74	\$3,636.46	\$2,045.51	\$5,681.96	\$1,172.76	\$2,387.05	\$1,130.23	\$566.26	\$10,938.25
58ii	\$2,813.49	\$2,877.36	\$1,618.51	\$4,495.87	\$927.95	\$1,888.76	\$894.29	\$151.00	\$8,357.87
59	\$2,924.93	\$2,991.33	\$1,682.62	\$4,673.95	\$964.70	\$1,963.57	\$929.72	\$179.61	\$8,711.55
60	\$5,795.90	\$5,927.47	\$3,334.20	\$9,261.67	\$1,911.61	\$3,890.92	\$1,842.28	\$0.00	\$16,906.48
61i	\$2,825.60	\$2,889.74	\$1,625.48	\$4,515.22	\$931.94	\$1,896.89	\$898.14	\$0.00	\$8,242.20
61ii	\$161.22	\$164.88	\$92.74	\$257.62	\$53.17	\$108.23	\$51.25	\$0.00	\$470.27
62	\$4,476.48	\$4,578.10	\$2,575.18	\$7,153.28	\$1,476.43	\$3,005.17	\$1,422.89	\$0.00	\$13,057.77
63i	\$7,947.72	\$8,128.13	\$4,572.07	\$12,700.21	\$2,621.32	\$5,335.49	\$2,526.26	\$0.00	\$23,183.28

FEE	2018 DIRECT LABOR	2019 DIRECT LABOR UPDATE [(2018 LEVEL X INCR. (2.27%)]	(56.25%) GOVT. FRINGES	TOTAL SUM (3-4)	(20.64%) OPERATIONS OVERHEAD	(34.82%) OFFICE G&A	(12.23%) BOARD G&A	PUBLICATION COSTS	TOTAL SUM (5-9)
1	2	3	4	5	6	7	8	9	10
63ii	\$8,859.66	\$9,060.77	\$5,096.69	\$14,157.46	\$2,922.10	\$5,947.70	\$2,816.13	\$0.00	\$25,843.38
64	\$255.03	\$260.82	\$146.71	\$407.53	\$84.11	\$171.21	\$81.06	\$0.00	\$743.92
76	\$529.75	\$541.78	\$304.75	\$846.52	\$174.72	\$355.63	\$168.39	\$2.00	\$1,547.27
77	\$56.04	\$57.31	\$32.24	\$89.55	\$18.48	\$37.62	\$17.81	\$0.00	\$163.47
78i	\$10.54	\$10.78	\$6.06	\$16.84	\$3.48	\$7.08	\$3.35	\$0.00	\$30.74
78ii	\$10.54**	\$10.78	\$6.06	\$16.84	\$3.48	\$7.08	\$3.35	\$0.00	\$30.74
79i	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$75.00
79ii	\$66.76	\$68.28	\$38.40	\$106.68	\$22.02	\$44.82	\$21.22	\$0.00	\$194.74
80	\$261.32	\$267.25	\$150.33	\$417.58	\$86.19	\$175.43	\$83.06	\$0.00	\$762.26
81i	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$75.00
81ii	\$66.76	\$68.28	\$38.40	\$106.68	\$22.02	\$44.82	\$21.22	\$0.00	\$194.74
82	\$106.09	\$108.50	\$61.03	\$169.53	\$34.99	\$71.22	\$33.72	\$0.00	\$309.46
83	\$17.53	\$17.93	\$10.08	\$28.01	\$5.78	\$11.77	\$5.57	\$0.00	\$51.13
84	\$113.65	\$116.23	\$65.38	\$181.61	\$37.48	\$76.30	\$36.12	\$0.00	\$331.51
85	\$488.57	\$499.66	\$281.06	\$780.72	\$161.14	\$327.99	\$155.30	\$0.00	\$1,425.14
86i	\$636.55	\$651.00	\$366.19	\$1,017.19	\$209.95	\$427.33	\$202.33	\$0.00	\$1,856.80
86ii	\$2,186.26	\$2,235.89	\$1,257.69	\$3,493.58	\$721.07	\$1,467.69	\$694.92	\$0.00	\$6,377.26
86iii	\$223.81	\$228.89	\$128.75	\$357.64	\$73.82	\$150.25	\$71.14	\$0.00	\$652.85
87i	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$75.00
87ii	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$75.00
87iii	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$75.00
87iv	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$75.00

** See supra n.7 (explaining the use of analogous cost information from current § 1002.2(f)(78)(i)).

FEE	2018 DIRECT LABOR	2019 DIRECT LABOR UPDATE [(2018 LEVEL X INCR. (2.27%)]	(56.25%) GOVT. FRINGES	TOTAL SUM (3-4)	(20.64%) OPERATIONS OVERHEAD	(34.82%) OFFICE G&A	(12.23%) BOARD G&A	PUBLICATION COSTS	TOTAL SUM (5-9)
1	2	3	4	5	6	7	8	9	10
87v	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$150.00
88	\$243.98	\$249.52	\$140.35	\$389.87	\$80.47	\$163.79	\$77.55	\$0.00	\$711.68
96	\$13.72	\$14.03	\$7.89	\$21.92	\$4.53	\$9.21	\$4.36	\$0.00	\$40.02
97	\$10.44	\$10.68	\$6.01	\$16.68	\$3.44	\$7.01	\$3.32	\$0.00	\$30.45
98ia	\$69.47	\$71.05	\$39.96	\$111.01	\$22.91	\$46.64	\$22.08	\$0.00	\$202.64
98ib	\$20.14	\$20.60	\$11.59	\$32.18	\$6.64	\$13.52	\$6.40	\$0.00	\$58.75
98iia	\$109.75	\$112.24	\$63.14	\$175.38	\$36.20	\$73.68	\$34.89	\$151.00	\$471.14
98iib	\$20.14	\$20.60	\$11.59	\$32.18	\$6.64	\$13.52	\$6.40	\$0.00	\$58.75
98iia	\$17.37	\$17.76	\$9.99	\$27.75	\$5.73	\$11.66	\$5.52	\$0.00	\$50.66
98iib	\$5.04	\$5.15	\$2.90	\$8.05	\$1.66	\$3.38	\$1.60	\$0.00	\$14.69
98iva	\$27.44	\$28.06	\$15.78	\$43.84	\$9.05	\$18.42	\$8.72	\$151.00	\$231.03
98ivb	\$5.04	\$5.15	\$2.90	\$8.05	\$1.66	\$3.38	\$1.60	\$0.00	\$14.69
98va	\$5.79	\$5.92	\$3.33	\$9.25	\$1.91	\$3.89	\$1.84	\$0.00	\$16.89
98vb	\$1.68	\$1.72	\$0.97	\$2.68	\$0.55	\$1.13	\$0.53	\$0.00	\$4.90
98via	\$9.15	\$9.35	\$5.26	\$14.61	\$3.02	\$6.14	\$2.91	\$151.00	\$177.68
98vib	\$1.68	\$1.72	\$0.97	\$2.68	\$0.55	\$1.13	\$0.53	\$0.00	\$4.90
99i	\$81.57	\$83.42	\$46.92	\$130.35	\$26.90	\$54.76	\$25.93	\$0.00	\$237.94
99ii	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$25.00
100i	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$250.00
100ii	\$78.31	\$80.09	\$45.05	\$125.14	\$25.83	\$52.57	\$24.89	\$0.00	\$228.43
102	\$7.27	\$7.44	\$4.18	\$11.62	\$2.40	\$4.88	\$2.31	\$0.00	\$21.21
103	\$45.00	\$46.02	\$25.89	\$71.91	\$14.84	\$30.21	\$14.30	\$0.00	\$131.26
104	\$31.15	\$31.86	\$17.92	\$49.78	\$10.27	\$20.91	\$9.90	\$0.00	\$90.86
105									N/A

FEE	2018 DIRECT LABOR	2019 DIRECT LABOR UPDATE [(2018 LEVEL X INCR. (2.27%)]	(56.25%) GOVT. FRINGES	TOTAL SUM (3-4)	(20.64%) OPERATIONS OVERHEAD	(34.82%) OFFICE G&A	(12.23%) BOARD G&A	PUBLICATION COSTS	TOTAL SUM (5-9)
1	2	3	4	5	6	7	8	9	10
106									N/A
107									N/A

Appendix B

For the reasons set forth in the preamble, title 49, chapter X, part 1002, of the Code of Federal Regulations is amended as follows:

PART 1002—FEES

1. The authority citation for part 1002 continues to read as follows:

Authority: 5 U.S.C. 552(a)(4)(A), (a)(6)(B), and 553; 31 U.S.C. 9701; and 49 U.S.C. 1321. Section 1002.1(f)(11) is also issued under 5 U.S.C. 5514 and 31 U.S.C. 3717.

2. Section 1002.1 is amended by revising paragraphs (a) and (b) to read as follows:

§ 1002.1 Fees for records search, review, copying, certification, and related services.

* * * * *

(a) Certificate of the Records Officer, \$21.00.

(b) Services involved in examination of tariffs or schedules for preparation of certified copies of tariffs or schedules or extracts therefrom at the rate of \$46.00 per hour.

* * * * *

3. Section 1002.2, paragraph (f), is revised to read as follows:

* * * * *

(f) Schedule of filing fees.

Type of Proceeding	Fee
PART I: Non-Rail Applications or Proceedings to Enter Into a Particular Financial Transaction or Joint Arrangement:	
(1) An application for the pooling or division of traffic.....	\$5,500.
(2) (i) An application involving the purchase, lease, consolidation, merger, or acquisition of control of a motor carrier of passengers under 49 U.S.C. 14303	\$2,500.
(ii) A petition for exemption under 49 U.S.C. 13541 (other than a rulemaking) filed by a non-rail carrier not otherwise covered	\$3,900.
(iii) A petition to revoke an exemption filed under 49 U.S.C. 13541(d).....	\$3,200.
(3) An application for approval of a non-rail rate association agreement. 49 U.S.C. 13703	\$34,300.
(4) An application for approval of an amendment to a non-rail rate association agreement:	
(i) Significant amendment	\$5,600.
(ii) Minor amendment.....	\$100.
(5) An application for temporary authority to operate a motor carrier of passengers. 49 U.S.C. 14303(i).....	\$600.

Type of Proceeding	Fee
(6) A notice of exemption for transaction within a motor passenger corporate family that does not result in adverse changes in service levels, significant operational changes, or a change in the competitive balance with motor passenger carriers outside the corporate family	\$2,000.
(7)-(10) [Reserved]	
PART II: Rail Licensing Proceedings other than Abandonment or Discontinuance Proceedings:	
(11) (i) An application for a certificate authorizing the extension, acquisition, or operation of lines of railroad. 49 U.S.C. 10901.....	\$9,000.
(ii) Notice of exemption under 49 CFR 1150.31-1150.35....	\$2,100.
(iii) Petition for exemption under 49 U.S.C. 10502.....	\$15,600.
(12) (i) An application involving the construction of a rail line	\$92,700.
(ii) A notice of exemption involving construction of a rail line under 49 CFR 1150.36.....	\$2,000.
(iii) A petition for exemption under 49 U.S.C. 10502 involving construction of a rail line.....	\$92,700.
(iv) A request for determination of a dispute involving a rail construction that crosses the line of another carrier under 49 U.S.C. 10902(d).....	\$350.
(13) A Feeder Line Development Program application filed under 49 U.S.C. 10907(b)(1)(A)(i) or 10907(b)(1)(A)(ii).....	\$2,600.
(14) (i) An application of a class II or class III carrier to acquire an extended or additional rail line under 49 U.S.C. 10902.....	\$7,600.
(ii) Notice of exemption under 49 CFR 1150.41-1150.45....	\$2,100.
(iii) Petition for exemption under 49 U.S.C. 10502 relating to an exemption from the provisions of 49 U.S.C. 10902	\$8,100.
(15) A notice of a modified certificate of public convenience and necessity under 49 CFR 1150.21-1150.24.....	\$2,000.
(16) An application for a land-use-exemption permit for a facility existing as of October 16, 2008 under 49 U.S.C. 10909	\$7,400.
(17) An application for a land-use-exemption permit for a facility not existing as of October 16, 2008 under 49 U.S.C. 10909 ...	\$26,200.
(18)-(20) [Reserved]	
PART III: Rail Abandonment or Discontinuance of Transportation Services Proceedings:	
(21) (i) An application for authority to abandon all or a portion of a line of railroad or discontinue operation thereof filed by a railroad (except applications filed by Consolidated Rail Corporation pursuant to the Northeast Rail Service Act [Subtitle E of Title XI of Pub. L. 97-35], bankrupt railroads, or exempt abandonments).....	\$27,500.

Type of Proceeding	Fee
(ii) Notice of an exempt abandonment or discontinuance under 49 CFR 1152.50.....	\$4,400.
(iii) A petition for exemption under 49 U.S.C. 10502.....	\$7,800.
(22) An application for authority to abandon all or a portion of a line of a railroad or operation thereof filed by Consolidated Rail Corporation pursuant to Northeast Rail Service Act.....	\$550.
(23) Abandonments filed by bankrupt railroads.....	\$2,300.
(24) A request for waiver of filing requirements for abandonment application proceedings	\$2,200.
(25) An offer of financial assistance under 49 U.S.C. 10904 relating to the purchase of or subsidy for a rail line proposed for abandonment.....	\$1,900.
(26) A request to set terms and conditions for the sale of or subsidy for a rail line proposed to be abandoned.....	\$28,100.
(27) (i) Request for a trail use condition in an abandonment proceeding under 16 U.S.C. 1247(d).....	\$350.
(ii) A request to extend the period to negotiate a trail use agreement.....	\$550.
(28)-(35) [Reserved]	
PART IV: Rail Applications to Enter Into a Particular Financial Transaction or Joint Arrangement:	
(36) An application for use of terminal facilities or other applications under 49 U.S.C. 11102	\$23,500.
(37) An application for the pooling or division of traffic. 49 U.S.C. 11322.....	\$12,600.
(38) An application for two or more carriers to consolidate or merge their properties or franchises (or a part thereof) into one corporation for ownership, management, and operation of the properties previously in separate ownership. 49 U.S.C. 11324:	
(i) Major transaction	\$1,852,800.
(ii) Significant transaction	\$370,500.
(iii) Minor transaction.....	\$8,900.
(iv) Notice of an exempt transaction under 49 CFR 1180.2(d).....	\$2,000.
(v) Responsive application	\$8,900.
(vi) Petition for exemption under 49 U.S.C. 10502.....	\$11,600.
(vii) A request for waiver or clarification of regulations filed in a major financial proceeding as defined at 49 CFR 1180.2(a)	\$6,800.
(39) An application of a non-carrier to acquire control of two or more carriers through ownership of stock or otherwise. 49 U.S.C. 11324:	
(i) Major transaction	\$1,852,800.
(ii) Significant transaction	\$370,500.

Type of Proceeding	Fee
(iii) Minor transaction.....	\$8,900.
(iv) A notice of an exempt transaction under 49 CFR 1180.2(d).....	\$1,500.
(v) Responsive application	\$8,900.
(vi) Petition for exemption under 49 U.S.C. 10502.....	\$11,600.
(vii) A request for waiver or clarification of regulations filed in a major financial proceeding as defined at 49 CFR 1180.2(a)	\$6,800.
(40) An application to acquire trackage rights over, joint ownership in, or joint use of any railroad lines owned and operated by any other carrier and terminals incidental thereto. 49 U.S.C. 11324:	
(i) Major transaction	\$1,852,800.
(ii) Significant transaction	\$370,500.
(iii) Minor transaction.....	\$8,900.
(iv) Notice of an exempt transaction under 49 CFR 1180.2(d).....	\$1,400.
(v) Responsive application	\$8,900.
(vi) Petition for exemption under 49 U.S.C. 10502.....	\$11,600.
(vii) A request for waiver or clarification of regulations filed in a major financial proceeding as defined at 49 CFR 1180.2(a)	\$6,800.
(41) An application of a carrier or carriers to purchase, lease, or contract to operate the properties of another, or to acquire control of another by purchase of stock or otherwise. 49 U.S.C. 11324:	
(i) Major transaction	\$1,852,800.
(ii) Significant transaction	\$370,500.
(iii) Minor transaction.....	\$8,900.
(iv) Notice of an exempt transaction under 49 CFR 1180.2(d).....	\$1,600.
(v) Responsive application	\$8,900.
(vi) Petition for exemption under 49 U.S.C. 10502.....	\$8,100.
(vii) A request for waiver or clarification of regulations filed in a major financial proceeding as defined at 49 CFR 1180.2(a)	\$6,800.
(42) Notice of a joint project involving relocation of a rail line under 49 CFR 1180.2(d)(5)	\$2,800.
(43) An application for approval of a rail rate association agreement. 49 U.S.C. 10706	\$86,800.
(44) An application for approval of an amendment to a rail rate association agreement. 49 U.S.C. 10706:	
(i) Significant amendment	\$16,000.
(ii) Minor amendment.....	\$100.

Type of Proceeding	Fee
(45) An application for authority to hold a position as officer or director under 49 U.S.C. 11328	\$900.
(46) A petition for exemption under 49 U.S.C. 10502 (other than a rulemaking) filed by rail carrier not otherwise covered	\$9,900.
(47) National Railroad Passenger Corporation (Amtrak) conveyance proceeding under 45 U.S.C. 562	\$350.
(48) National Railroad Passenger Corporation (Amtrak) compensation proceeding under Section 402(a) of the Rail Passenger Service Act.....	\$350.
(49)-(55) [Reserved]	
PART V: Formal Proceedings:	
(56) A formal complaint alleging unlawful rates or practices of carriers:	
(i) A formal complaint filed under the coal rate guidelines (Stand-Alone Cost Methodology) alleging unlawful rates and/or practices of rail carriers under 49 U.S.C. 10704(c)(1)	\$350.
(ii) A formal complaint involving rail maximum rates filed under the Simplified-SAC methodology	\$350.
(iii) A formal complaint involving rail maximum rates filed under the Three Benchmark methodology.....	\$150.
(iv) All other formal complaints (except competitive access complaints).....	\$350.
(v) Competitive access complaints.....	\$150.
(vi) A request for an order compelling a rail carrier to establish a common carrier rate	\$350.
(57) A complaint seeking or a petition requesting institution of an investigation seeking the prescription or division of joint rates or charges. 49 U.S.C. 10705	\$11,000.
(58) A petition for declaratory order:	
(i) A petition for declaratory order involving a dispute over an existing rate or practice which is comparable to a complaint proceeding.....	\$1,000.
(ii) All other petitions for declaratory order	\$1,400.
(59) An application for shipper antitrust immunity. 49 U.S.C. 10706(a)(5)(A).....	\$8,700.
(60) Labor arbitration proceedings.....	\$350.
(61) (i) An appeal of a Surface Transportation Board decision on the merits or petition to revoke an exemption pursuant to 49 U.S.C. 10502(d).....	\$350.
(ii) An appeal of a Surface Transportation Board decision on procedural matters except discovery rulings	\$450.
(62) Motor carrier undercharge proceedings.....	\$350.

Type of Proceeding	Fee
(63) (i) Expedited relief for service inadequacies: A request for expedited relief under 49 U.S.C. 11123 and 49 CFR part 1146 for service emergency	\$350.
(ii) Expedited relief for service inadequacies: A request for temporary relief under 49 U.S.C. 10705 and 11102, and 49 CFR part 1147 for service inadequacy	\$350.
(64) A request for waiver or clarification of regulations except one filed in an abandonment or discontinuance proceeding, or in a major financial proceeding as defined at 49 CFR 1180.2(a) ...	\$700.
(65)-(75) [Reserved]	
PART VI: Informal Proceedings:	
(76) An application for authority to establish released value rates or ratings for motor carriers and freight forwarders of household goods under 49 U.S.C. 14706	\$1,500.
(77) An application for special permission for short notice or the waiver of other tariff publishing requirements	\$150.
(78) (i) The filing of tariffs, including supplements, or contract summaries	\$1 per page. (\$30 min. charge.)
(ii) The filing of water carrier annual certifications	\$30.
(79) Special docket applications from rail and water carriers:	
(i) Applications involving \$25,000 or less	\$75.
(ii) Applications involving over \$25,000.....	\$150.
(80) Informal complaint about rail rate applications	\$750.
(81) Tariff reconciliation petitions from motor common carriers:	
(i) Petitions involving \$25,000 or less.....	\$75.
(ii) Petitions involving over \$25,000.....	\$150.
(82) Request for a determination of the applicability or reasonableness of motor carrier rates under 49 U.S.C. 13710(a)(2) and (3)	\$300.
(83) Filing of documents for recordation. 49 U.S.C. 11301 and 49 CFR 1177.3(c).	\$51 per document.
(84) Informal opinions about rate applications (all modes)	\$300.
(85) A railroad accounting interpretation	\$1,400.
(86) (i) A request for an informal opinion not otherwise covered	\$1,800.
(ii) A proposal to use on a voting trust agreement pursuant to 49 CFR 1013 and 49 CFR 1180.4(b)(4)(iv) in connection with a major control proceeding as defined at 49 CFR 1180.2(a).....	\$6,300.
(iii) A request for an informal opinion on a voting trust agreement pursuant to 49 CFR 1013.3(a) not otherwise covered.....	\$650.
(87) Arbitration of certain disputes subject to the statutory jurisdiction of the Surface Transportation Board under 49 CFR 1108:	

Type of Proceeding	Fee
(i) Complaint.....	\$75.
(ii) Answer (per defendant), Unless Declining to Submit to Any Arbitration.....	\$75.
(iii) Third Party Complaint	\$75.
(iv) Third Party Answer (per defendant), Unless Declining to Submit to Any Arbitration	\$75.
(v) Appeals of Arbitration Decisions or Petitions to Modify or Vacate an Arbitration Award.....	\$150.
(88) Basic fee for STB adjudicatory services not otherwise covered	\$350.
(89)-(95) [Reserved]	
PART VII: Services:	
(96) Messenger delivery of decision to a railroad carrier's Washington, DC, agent	\$40 per delivery.
(97) Request for service or pleading list for proceedings.....	\$30 per list.
(98) Processing the paperwork related to a request for the Carload Waybill Sample to be used in an STB or State proceeding that:	
(i) Annual request does not require a Federal Register (FR) notice:	
(A) Set cost portion.....	\$200.
(B) Sliding cost portion	\$58 per party.
(ii) Annual request does require a FR notice:	
(A) Set cost portion.....	\$450.
(B) Sliding cost portion	\$58 per party.
(iii) Quarterly request does not require a FR notice:	
(A) Set cost portion.....	\$50.
(B) Sliding cost portion	\$14 per party.
(iv) Quarterly request does require a FR notice:	
(A) Set cost portion.....	\$231.
(B) Sliding cost portion	\$14 per party.
(v) Monthly request does not require a FR notice:	
(A) Set cost portion.....	\$16.
(B) Sliding cost portion	\$4 per party.
(vi) Monthly request does require a FR notice:	
(A) Set cost portion.....	\$177.
(B) Sliding cost portion	\$4 per party.
(99) (i) Application fee for the STB's Practitioners' Exam	\$200.
(ii) Practitioners' Exam Information Package	\$25.
(100) Carload Waybill Sample data:	
(i) Requests for Public Use File for all years prior to the most current year Carload Waybill Sample data available, provided on CD-R	\$250 per year.

Type of Proceeding	Fee
(ii) Specialized programming for Waybill requests to the Board.....	\$125 per hour.

* * * * *

Appendix C

Fee Item	Description	2019 Fee (Sub-No. 27)	2018 Fee (Sub-No. 26)	Difference
(1)	Pooling/Division Traf. Non-Rail	\$5,500	\$5,200	\$300
(2i)	Appl. Purch. Lease of MC Passen.	\$2,500	\$2,400	\$100
(2ii)	PFE-Not Otherwise Cover. N-Rail	\$3,900	\$3,700	\$200
(2iii)	Pet. To Revoke-Filing from (2ii)	\$3,200	\$3,100	\$100
(3)	Appl. N-Rail Rate Assoc. Agree	\$34,300	\$32,800	\$1,500
(4i)	Appl. Amend. Agree. - Significant	\$5,600	\$5,400	\$200
(4ii)	Appl. Amend. Agree. - Minor	\$100	\$100	\$0
(5)	Temp. Author. of MC Passenger	\$600	\$550	\$50
(6)	Notice of Exempt. - MC Pass. Corp.	\$2,000	\$1,900	\$100
(11i)	Appl.-Extension, Acquis. or Opr.	\$9,000	\$8,600	\$400
(11ii)	NOE - Extension, Acquis. or Opr.	\$2,100	\$2,000	\$100
(11iii)	PFE - Extension, Acquis. or Opr.	\$15,600	\$14,900	\$700
(12i)	Appl. Construct New Rail Line	\$92,700	\$88,700	\$4,000
(12ii)	NOE - Construct New Rail Line	\$2,000	\$2,000	\$0
(12iii)	PFE - Construct New Rail Line	\$92,700	\$88,700	\$4,000
(12iv)	Rail Construct Cross Carrier	\$350	\$300	\$50
(13)	Feeder Line Development Appl.	\$2,600	\$2,600	\$0
(14i)	Appl. CL II or III Acquire Rail Ln.	\$7,600	\$7,300	\$300
(14ii)	NOE - CL II or III Acquire Rail Ln	\$2,100	\$2,000	\$100
(14iii)	PFE - CL II or III Acquire Rail Ln.	\$8,100	\$7,800	\$300
(15)	Notice of Modified Certificate	\$2,000	\$1,900	\$100
(16)	Land-Use-Exemption-Facility	\$7,400	\$7,100	\$300
(17)	Land-Use-Exemp.-New Facility	\$26,200	\$25,100	\$1,100
(21i)	Appl. to Abandon or Discontinue	\$27,500	\$26,300	\$1,200
(21ii)	NOE - Abandon or Discontinue	\$4,400	\$4,200	\$200
(21iii)	PFE - Abandon or Discontinue	\$7,800	\$7,400	\$400
(22)	Appl. Abandon Line of CR	\$550	\$550	\$0
(23)	Abandonment Filed Bankrupt RR	\$2,300	\$2,200	\$100
(24)	Waiver Request - Abandon Appl.	\$2,200	\$2,100	\$100
(25)	Offer Financial Assistance (OFA)	\$1,900	\$1,800	\$100
(26)	OFA - Set Terms and Conditions	\$28,100	\$26,900	\$1,200
(27i)	Request for Trail Use Condition	\$350	\$300	\$50
(27ii)	Request to Extend Negotiate Trail	\$550	\$500	\$50
(36)	Appl. Use of Terminal Facilities	\$23,500	\$22,500	\$1,000
(37)	Appl. Pooling/Division Traf. - Rail	\$12,600	\$12,100	\$500

Fee Item	Description	2019 Fee (Sub-No. 27)	2018 Fee (Sub-No. 26)	Difference
(38i)	Appl. Consolidation/Merger - Maj	\$1,852,800	\$1,773,200	\$79,600
(38ii)	Appl. Consolidation/Merger-Signif.	\$370,500	\$354,600	\$15,900
(38iii)	Appl. Consolidation/Merger - Minor	\$8,900	\$8,500	\$400
(38iv)	NOE - Consolidation/Merger	\$2,000	\$1,900	\$100
(38v)	Consolidation/Merger - Responsive	\$8,900	\$8,500	\$400
(38vi)	PFE - Consolidation/Merger	\$11,600	\$11,100	\$500
(38vii)	Request for Waiver/Clarification	\$6,800	\$6,500	\$300
(39i)	Appl. Non-Carrier Acq. - Major	\$1,852,800	\$1,773,200	\$79,600
(39ii)	Appl. Non-Carrier Acq. - Signif.	\$370,500	\$354,600	\$15,900
(39iii)	Appl. Non-Carrier Acq. - Minor	\$8,900	\$8,500	\$400
(39iv)	NOE - Non-Carrier Acquire	\$1,500	\$1,500	\$0
(39v)	Non-Carrier Acquire - Responsive	\$8,900	\$8,500	\$400
(39vi)	PFE - Non-Carrier Acquire	\$11,600	\$11,100	\$500
(39vii)	Request for Waiver/Clarification	\$6,800	\$6,500	\$300
(40i)	Appl. Trackage Rights – Major	\$1,852,800	\$1,773,200	\$79,600
(40ii)	Appl. Trackage Rights-Significant	\$370,500	\$354,600	\$15,900
(40iii)	Appl. Trackage Rights – Minor	\$8,900	\$8,500	\$400
(40iv)	NOE - Trackage Rights	\$1,400	\$1,300	\$100
(40v)	Trackage Rights-Responsive Appl.	\$8,900	\$8,500	\$400
(40vi)	PFE - Trackage Rights	\$11,600	\$11,100	\$500
(40vii)	Request for Waiver/Clarification	\$6,800	\$6,500	\$300
(41i)	Appl. Purch., Lease, Oper.- Major	\$1,852,800	\$1,773,200	\$79,600
(41ii)	Appl. Purch., Lease, Oper.- Signif	\$370,500	\$354,600	\$15,900
(41iii)	Appl. Purch., Lease, Oper. - Minor	\$8,900	\$8,500	\$400
(41iv)	NOE - Purchase, Lease, Operate	\$1,600	\$1,600	\$0
(41v)	Purch., Lease, Oper.-Responsive	\$8,900	\$8,500	\$400
(41vi)	PFE - Purchase, Lease, Operate	\$8,100	\$7,800	\$300
(41vii)	Request for Waiver/Clarification	\$6,800	\$6,500	\$300
(42)	Notice of Joint Project Relocation	\$2,800	\$2,700	\$100
(43)	Appl. Approval Rate Assoc. Agree	\$86,800	\$83,000	\$3,800
(44i)	Amend to Rate Agree-Significant	\$16,000	\$15,300	\$700
(44ii)	Amend to Rate Assoc. Agree-Min	\$100	\$100	\$0
(45)	Appl. Author. Officer/Director	\$900	\$900	\$0
(46)	PFE-Filed Rail-Not Other. Cover.	\$9,900	\$9,500	\$400
(47)	Amtrak Conveyance Proceeding	\$350	\$300	\$50
(48)	Amtrak Compensation Proceed.	\$350	\$300	\$50
(56i)	Formal Compl.-Coal Rate Guide	\$350	\$350	\$0

Fee Item	Description	2019 Fee (Sub-No. 27)	2018 Fee (Sub-No. 26)	Difference
(56ii)	Formal Compl.-Simplified-SAC	\$350	\$350	\$0
(56iii)	Formal Compl.-Three Benchmark	\$150	\$150	\$0
(56iv)	Formal Complaint - All Others	\$350	\$350	\$0
(56v)	Competitive Access Complaint	\$150	\$150	\$0
(56vi)	Request to Establish CC Rate	\$350	\$300	\$50
(57)	Request for an Investigation	\$11,000	\$10,500	\$500
(58i)	Petition Declaratory-Exist Rate	\$1,000	\$1,000	\$0
(58ii)	Pet. Declar.-All Other Petition	\$1,400	\$1,400	\$0
(59)	Appl. Shipper Antitrust Immunity	\$8,700	\$8,300	\$400
(60)	Labor Arbitration Proceedings	\$350	\$300	\$50
(61i)	Appeal/Merits & Pet. Revoke Ex.	\$350	\$300	\$50
(61ii)	Appeal STB Decision-Procedural	\$450	\$450	\$0
(62)	Mtr. Carrier Undercharge Cases	\$350	\$300	\$50
(63i)	Service Emergency-Part 1146	\$350	\$300	\$50
(63ii)	Service Emergency-Part 1147	\$350	\$300	\$50
(64)	Req. Waiver/Clarif. O/T Aban/Fin	\$700	\$700	\$0
(76)	Release Value Rates for MC&HG	\$1,500	\$1,400	\$100
(77)	Short Notice of Tariff Publishing	\$150	\$150	\$0
(78i)	Filing of Tariffs, Incl. Supplements	\$30	\$29	\$1
(78ii)	Filing Water Carrier Annual Certification	\$30	\$29*	\$1
(79i)	Spec. Dk (RR&Water)< \$25,000	\$75	\$75	\$0
(79ii)	Spec. Dk (RR&Water)> \$25,000	\$150	\$150	\$0
(80)	Inform. Complaint RR Rate Appl.	\$750	\$700	\$50
(81i)	Tariff Recon. MC - <\$25,000	\$75	\$75	\$0
(81ii)	Tariff Recon. MC - >\$25,000	\$150	\$150	\$0
(82)	Request Reasonable. MC Rates	\$300	\$250	\$50
(83)	Documents for Recordation	\$51	\$48	\$3
(84)	Informal Opinions Rate Appl.	\$300	\$300	\$0
(85)	Railroad Accounting Interpretation	\$1,400	\$1,300	\$100
(86i)	A Request Informal Opinion-NOC	\$1,800	\$1,700	\$100
(86ii)	Voting Trust Agree. Major Cont.	\$6,300	\$6,100	\$200
(86iii)	Informal Opin.-Voting Trust-NOC	\$650	\$600	\$50
(87i)	Arbitration Disputes-Complaint	\$75	\$75	\$0

* See *supra* n.7 (explaining the use of analogous cost information from current § 1002.2(f)(78)(i)).

Fee Item	Description	2019 Fee (Sub-No. 27)	2018 Fee (Sub-No. 26)	Difference
(87ii)	Answer (Per Defendant)	\$75	\$75	\$0
(87iii)	Third Party Complaint	\$75	\$75	\$0
(87iv)	Third Party Answer (Per Defendant)	\$75	\$75	\$0
(87v)	Appeals of Arbitration Decision	\$150	\$150	\$0
(88)	Basic for Adjudicatory Services	\$350	\$300	\$50
(96)	Messenger Delivery - Railroad DC	\$40	\$38	\$2
(97)	Request Service/Pleadings List	\$30	\$29	\$1
(98i)(A)	Ann. Carload Way. Req.-No FR Set Cost	\$200	\$150	\$50
(98i)(B)	No FR Sliding Portion	\$58	\$56	\$2
(98ii)(A)	Ann. Carload Way. Req.-FR Set Cost	\$450	\$450	\$0
(98ii)(B)	FR Required Sliding Portion	\$58	\$56	\$2
(98iii)(A)	Qtr. Carload Way Req.- No FR Set Cost	\$50	\$48	\$2
(98iii)(B)	No FR Sliding Portion	\$14	\$14	\$0
(98iv)(A)	Qtr. Carload Way Req.- FR Set Cost	\$231	\$227	\$4
(98iv)(B)	FR Required Sliding Portion	\$14	\$14	\$0
(98v)(A)	Month. Carload Way Req.- No FR Set Cost	\$16	\$16	\$0
(98v)(B)	No FR Sliding Portion	\$4	\$4	\$0
(98vi)(A)	Month. Carload Way Req.- FR Set Cost	\$177	\$176	\$1
(98vi)(B)	FR Required Sliding Portion	\$4	\$4	\$0
(99i)	Application STB Practitioners' Exam	\$200	\$200	\$0
(99ii)	Practitioners Exam Package	\$25	\$25	\$0
(100i)	Carld. Waybill-(CD-R)-per yr.-Prior	\$250	\$250	\$0
(100ii)	Special Programming-Waybill	\$125	\$122	\$3
1002.1(a)	Certificate of the Records Officer	\$21	\$20	\$1
1002.1(b)	Exam Tariffs for Certification	\$46	\$45	\$1
1002.1(c)	Checking Records Authenticity	\$31	\$31	\$0
1002.1(d)	Electrostatic Copies Tariffs, Recon.	\$7.50	\$7.50	\$0
1002.1(e)	Courier Service Cost – Elsewhere	NA	NA	NA
1002.1(f)(1)	Pro Staff Time for Search, Review & Duplication from Com. Use Req.	NA	NA	NA
1002.1(f)(4)	Pro Staff Time for Search & Duplication from Other Use Req.	NA	NA	NA