

SURFACE TRANSPORTATION BOARD PROPOSES RULES TO INCREASE USE OF MEDIATION & ARBITRATION

The Surface Transportation Board announced today that it is seeking public comment on its proposals to encourage increased use of mediation and arbitration for the resolution of certain matters before the Board.

While the Board has existing procedures in place for both mediation and arbitration, the proposed rules represent an initiative to refine and expand those rules, in an effort to promote greater use of alternative dispute resolution procedures for a wide range of issues. The Board believes that it will be to the mutual benefit of all stakeholders with business before the STB to reduce time and expense devoted to more formal litigation, and may provide enhanced access to the Board as well, particularly in matters involving relatively small disputes. The proposed rules would require parties to mediate certain matters, and would simplify and clarify its current rules for voluntary mediation. The Board also proposes a new program in which shippers and carriers could voluntarily agree to arbitrate certain routine disputes that come before the Board. The Board's mediation proposals would provide more rapid resolution of certain controversies, and at lower cost, through the mutual agreement of involved parties. The arbitration proposal similarly would involve less time and lower costs than current, formal adjudicatory procedures.

In announcing the proposals, Chairman Elliott said,

"The more often we can get parties to settle disputes before formal action, the more often we can save parties the cost, time and uncertainty of that formal action," Elliott said. "And both parties walk away from the process as winners."

The Board invited comment on its proposals in today's decision in [Assessment of Mediation and Arbitration Procedures, EP 699](#). That decision is available for viewing and downloading at the Board's website at www.stb.dot.gov .

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