

**SURFACE TRANSPORTATION BOARD ADOPTS REVISIONS TO ITS USER FEES REFLECTING APPROPRIATE INFLATIONARY COST INCREASES, AND DECREASES TO ITS OVERHEADS**

Surface Transportation Board (Board) Chairman Linda J. Morgan announced today that the Board has adopted its 1999 User Fee Update Schedule (1999 Update) for the processing of various transportation financial transactions and other types of proceedings filed with the Board. The 1999 Update primarily is designed to offset the combined 1999 federal government-wide general and locality salary increase of 3.68% that became effective in January 1999. It also is designed to offset an increase of 12.7% in the Board's Federal Register publication costs, and to reflect decreases to the Board's overhead costs at all levels.

The 1999 Update maintains 113 of the 114 fee items or sub-fee items (items) contained in the Board's 1998 User Fee Update Schedule (1998 Update), and introduces no new items. Only 40 (35%) of these fees reflect increases over the Board's 1998 Update, ranging from a small increase of 10 cents for one item, and \$1.00 for five other items, to a \$27,500 increase for the processing of a formal complainant filed under the Board's railroad coal rate guidelines. The increase for coal rate cases is consistent with a recent Department of Transportation Inspector General report that included a recommendation to increase certain fees in accordance with schedules adopted previously. Of the items being increased, just under 68% (27 items) are being increased by \$200 or less, while the remaining items are being increased by more than \$200 each. There are 73 existing items that remain unchanged.

Fee increases involved in the 1999 Update generally were derived from the application of the update formula at section 1002.3(d) of Title 49, United States Code [49 CFR 1002.3(d)], adopted by the Board (following public notice and comment procedures) in the proceeding entitled *Regulations Governing Fees for Services--1987 Update*, 4 I.C.C.2d 137 (1987). The regulations at 49 CFR 1002 require the Board to conduct such a proceeding annually to update its user fee schedule to reflect the cost of services it provides. The 1999 Update is in accordance with the Congressional directive, included in fiscal year 1999 transportation appropriations legislation, that the Board raise \$2.6 million in fees to cover a portion of its budget.

The Board made its 1999 Update in the proceeding entitled *Regulations Governing Fees for Services Performed in Connection with Licensing and Related Services--1999 Update*, STB Ex Parte No. 542 (Sub-No. 3). In adopting the *1999 Update*, the Board reiterated that the regulations provide for the waiver of a fee for any entity demonstrating that payment of such a fee will present a financial hardship.

Copies of the Board's fee adoption decision in STB Ex Parte No. 542 (Sub-No. 3), issued to the public today, **February 3, 1999**, and scheduled to become effective on **March 3, 1999**, are available by writing:

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