

**FOR RELEASE**  
03/09/2016 (Wednesday)  
No. 16-4

**Contact: Dennis Watson (202) 245-0234**  
**Michael Higgins (202) 245-0238**

FedRelay 1 (800) 877-8339  
[www.stb.gov](http://www.stb.gov)

**STB REAUTHORIZATION ACT IMPLEMENTATION CONTINUES: NEW PROCEDURAL  
SCHEDULE IN LARGE RAIL RATE CASES**

The Surface Transportation Board announced today final rules by which the Board will revise the procedural schedule for certain large railroad rate cases. Specifically, the Board's action will harmonize its regulations to conform with Section 11 of the Surface Transportation Board Reauthorization Act of 2015, P.L. 114-110 (2015) by revising regulations that set the procedural schedule for "Stand-Alone Cost," or "SAC" case handling.

Section 11 of the STB Reauthorization Act requires the Board to maintain procedures for the expeditious handling of rate cases before the agency. Accordingly, timelines in SAC rate case proceedings found at 49 C.F.R. § 1111.8 have been significantly shortened, including limits on the time allowed for discovery and the time allowed for development of the evidentiary record. The procedural schedule prescribed by Congress is reflected in today's final rule, and includes the following timeline:

--Day 0—Complaint filed, discovery period begins.

--Day 7 or before—Conference of the parties convened pursuant to § 1111.10(b).

--Day 20—Defendant's answer to complaint due.

--Day 150—Discovery completed.

--Day 210—Complainant files opening evidence on absence of intermodal and intramodal competition, variable cost, and stand-alone cost issues.

--Day 270—Defendant files reply evidence to complainant's opening evidence.

--Day 305—Complainant files rebuttal evidence to defendant's reply evidence.

--Day 335—Complainant and defendant file final briefs.

--Day 485 or before—The Board issues its decision.

The revised rules are not applicable to SAC cases filed before the Reauthorization Act's effective date of December 18, 2015.

To address implementation of other parts of Section 11 of the STB Reauthorization Act, the Board also announces that it will hold a series of informal meetings with practitioners, consultants and other stakeholders who have particular expertise in the area, to assess procedures that are available to parties in litigation before courts to expedite litigation and the potential application of such procedures to the Board's rate case processing. The Board will also assess whether there are additional changes to the SAC case process that could help the Board meet the expedited timeline for a final decision established under the STB Reauthorization Act. We will be providing more details on those upcoming informal meetings shortly.

The Board's final rules in [Revised Procedural Schedule in Stand-Alone Cost Cases, EP 732](#), can be found on the Board's website, [www.stb.dot.gov](http://www.stb.dot.gov), under "E-LIBRARY" / "Decisions & Notices / 03 / 09 / 2016."

###