

JUNE 30 ORAL ARGUMENT SCHEDULED ON FLORIDA RATE CASE

The Surface Transportation Board has scheduled an oral argument for Wednesday, June 30, 2010, at the STB's Washington headquarters.

Board members will hear from parties in [Seminole Electric Cooperative, Inc. v. CSX Transportation, Inc., Docket No. NOR 42110](#). Seminole Electric is challenging the rates CSX is charging for coal transported to its generating station near Palatka, Fla.

In this proceeding, the parties will argue whether CSX has "market dominance" over the traffic involved, meaning an absence of effective competition. Both sides agree that the rates CSX charges exceed 180 percent of the variable costs of providing rail service, one of two conditions the STB sets for establishing market dominance. The oral argument will focus on the second condition, whether Seminole Electric has a viable alternative to rail delivery, in this case the delivery of coal by barge from the Port of Jacksonville.

Each side in the case will have 20 minutes to argue its position and to respond to questions from Board members, similar to proceedings in federal appellate courts. The oral argument is scheduled to begin at 9:30 a.m. in the hearing room at STB headquarters, 395 E Street S.W. in Washington, DC. Though the proceedings are open to the public, only counsel for the parties to the cases will be permitted to speak. Photo identification is necessary to enter the building.

A live video broadcast of the oral argument will be available via the Board's Web site at <http://www.stb.dot.gov>, under "Information Center"/"Webcast"/"Live Video" on the home page.

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