

**Surface Transportation Board Directs Guilford Rail System to Allow Amtrak Test of Guilford Track to Determine if Amtrak May Safely Operate 79-mph Passenger Trains Between Plaistow, NH & Portland, ME**

Surface Transportation Board (Board) Chairman Linda J. Morgan announced today that the Board has directed the Guilford Rail System (Guilford) to allow the National Railroad Passenger Corporation (Amtrak) to test Guilford's track to determine whether Amtrak may safely operate its new passenger service at speeds of up to 79 miles per hour (mph) over certain Guilford rail facilities between Plaistow, New Hampshire and Portland, Maine. The Board's decision resolving the dispute that the private parties brought to it should help them as they move closer to reestablishing passenger rail service between Boston, Massachusetts and Portland.

Freight railroads must allow Amtrak to operate over their lines for a fee. When parties cannot agree on the terms and conditions of Amtrak's access, they may bring disputes to the Board for resolution. The instant dispute involves Amtrak's request for access to Guilford track that was substantially upgraded, through public funding, to facilitate the reintroduction of passenger service between Boston and Portland. Amtrak and Guilford have had several prior disputes concerning Amtrak's efforts to initiate its new Boston-Portland operations and, over the past few years, the Board has issued two decisions resolving a variety of issues (see Surface Transportation Board "News" releases No. 99-43, issued to the public on October 22, 1999, and No. 98-38, issued on May 29, 1998).

In a decision issued in late 1999, the Board found that Amtrak could safely operate its Boston-Portland trains at speeds of up to 79 mph using 115-pound rail (rather than the 132-pound rail that Guilford argued would be necessary), so long as the track is upgraded according to certain engineering criteria and maintained according to Federal Railroad Administration (FRA) safety standards. A dispute arose, however, over whether and how Amtrak could enter Guilford's system to test the track to see if it meets the Board-prescribed engineering criteria.

After reviewing the parties' arguments and information provided by FRA, which has substantial expertise relative to issues such as these, the Board found that a test using a device known as the "Track Loading Vehicle" (TLV) would be reasonable and practical and should provide sufficient data to evaluate the track. The TLV, which was recently developed by the Transportation Technology Center, Inc., a subsidiary of the Association of American Railroads, would run over the line at very slow speeds for two days checking for locations where additional track support may be needed, and then, on a third and final day, measure these locations to ensure that the track meets the criteria set in the Board's 1999 decision. The Board also found that, so long as the line is rehabilitated to the appropriate standard, and maintained at FRA-prescribed levels, a single engineering test, followed by regular inspections, should ensure that it will be safe for 79-mph speeds.

In a filing made with the Board, Guilford criticized the testing methodology and argued that repeated testing should be required, but the Board relied on FRA's conclusion that

**“. . . based on Amtrak's representation that the line would be maintained to FRA Class 4 standards, that it would be subject to routine FRA-mandated track safety inspections, and that it would be periodically inspected by Amtrak's track geometry car, FRA has been unable to identify any safety regulatory concern with the use of 115-pound rail on the upgraded Plaistow-Portland Line.”**

Guilford also argued that the proposed testing would be unreasonably burdensome and disruptive, but the Board disagreed. Noting that Amtrak has agreed to compensate Guilford for all costs incurred in relation to Amtrak's testing, the Board ordered Guilford to allow Amtrak access to the line so that tests may begin and the Board's prior decisions can be put into effect.

The Board issued its decision today in the case entitled *National Railroad Passenger Corporation--Petition For Declaratory Order--Weight of Rail*, STB Finance Docket No. 33697. A printed copy of the decision is available for a fee by contacting **D~To-D~ Office Solutions, Room 405, 1925 K Street, NW, Washington, DC 20006, telephone (202) 293-7776**, or via [http://Da\\_To\\_Da@Hotmail.com](mailto:Da_To_Da@Hotmail.com). The decision also is available for viewing and downloading via the Board's Website at <http://www.stb.dot.gov> .

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