

**SURFACE TRANSPORTATION BOARD DENIES UNION PACIFIC REQUEST FOR A
FINDING THAT CERTAIN OF ITS "TIH" TARIFF PROVISIONS ARE REASONABLE**

The Surface Transportation Board announced today that it has denied Union Pacific Railroad Company's (UP) petition requesting that the Board find reasonable certain UP tariff provisions requiring shippers of Toxic-by-Inhalation Hazardous commodities (TIH) to indemnify UP against all liabilities not caused through UP's own negligence or fault.

In reaching its decision, the Board agreed with shipper parties that had argued that the language of the UP tariff provisions at issue is overly broad, and that UP has not provided adequate support for the tariff requirements.

Today's decision in [Union Pacific Railroad Company—Petition for Declaratory Order, FD 35504](#), may be viewed and downloaded at the Board's website, www.stb.dot.gov, under "E-LIBRARY / Decisions & Notices / 04/30/13".

###