

## SURFACE TRANSPORTATION BOARD ADOPTS REVISIONS TO ITS USER FEES

The Surface Transportation Board announced today that the agency has adopted its 2006 User Fee Update Schedule (2006 Update) for the processing of various transportation financial transactions and other types of proceedings filed with the STB.

The STB made its 2006 Update in the proceeding entitled *Regulations Governing Fees for Services Performed in Connection with Licensing and Related Services--2006 Update*, STB Ex Parte No. 542 (Sub-No. 13). In adopting the 2006 Update, the agency 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.

Today's [decision in STB Ex Parte No. 542 \(Sub-No. 13\)](#) is available for viewing and downloading via the STB's Web site at <http://www.stb.dot.gov>. A printed copy of the agency's decision also is available for a fee by contacting **ASAP Document Solutions, 9332 Annapolis Rd., Suite 103, Lanham, MD 20706, telephone (202) 306-4004**, or via [asapdc@verizon.net](mailto:asapdc@verizon.net). A fact sheet is attached to this news release.

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### ATTACHMENT

#### FACT SHEET

#### *Regulations Governing Fees for Services Performed in Connection with Licensing and Related Services--2006 Update*, STB Ex Parte No. 542 (Sub-No. 13)

The 2006 Update--to become effective **April 19, 2006**--primarily is designed to offset agency expenses and to reflect changes to the Surface Transportation Board's overhead factors (decreases to two factors and an increase to the third).

The 2006 Update maintains the same 127 fee or sub-fee items ("items") from the agency's 2005 User Fee Update Schedule (2005 Update). Only 67 (about 53 percent) of these fees reflect increases over the STB's 2005 Update, ranging from small increases of \$0.10 for one item, \$1 for seven items, and \$2 for one other item, to a \$38,600 increase for the processing of a maximum coal case under the coal-rate guidelines, and a \$40,700 increase for major financial transactions (i.e., mergers, purchases, leases, etc.). Of the 67 items being increased, about 42 percent (28 items) are being increased by \$100 or less, while the remaining items (39) are being increased by more than \$100 each. Sixty existing items remain unchanged.

The regulations at Section 1002 of Title 49, *United States Code* (49 CFR 1002) require the

STB to conduct a proceeding annually to update its user fee schedule to reflect the cost of the services it provides. Fee increases involved in the 2006 Update generally were derived from the application of the update formula at Section 1002.3(d) adopted by the STB (following public notice and comment procedures) in the proceeding entitled *Regulations Governing Fees for Services--1987 Update*, 4 I.C.C.2d 137 (1987). In addition, for some fees that the STB has held at a percentage of their full cost, that percentage has been increased. For instance, formal complaints, including formal complaints filed under the coal rate guidelines, which had been calculated at 30 percent of full cost last year, moved to 40 percent of full cost this year. The 2006 Update is in accordance with the Congressional directive, included in the Fiscal Year 2006 transportation appropriations legislation, that the STB raise \$1.250 million in fees to cover a portion of its budget.

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