

**Public & Media Advisory: Surface Transportation Board Announces Matters & Cases To Be Addressed at August 11 Voting Conference**

Surface Transportation Board Chairman Roger Nober has announced the matters and cases to be addressed at the STB's open voting conference to begin at **10:00 a.m. on Wednesday, August 11, 2004**, in **Room 760**, the agency's hearing room, on the **7th Floor** of the agency's headquarters in the **Mercury Building, 1925 K Street, N.W., Washington, D.C.**

At the conference, the Members will discuss publicly among themselves, and vote on, the cases listed below. While the conference is open for public observation, no public participation is permitted.

**THE CONFERENCE ITEMS ARE:**

- *CF Industries, Inc. v. Kanab Pipe Line Partners, L.P. and Kanab Pipe Line Operating Partnership, L.P.*, STB Docket No. 42084. At issue in this case is CF Industries' complaint concerning the rates charged by Kanab for its interstate pipeline transportation of anhydrous ammonia.
- *North America Freight Car Association--Protest and Petition for Investigation--Tariff Publications of The Burlington Northern and Santa Fe Railway Company*, STB Docket No. 42060. (This case embraces *North America Freight Car Association v. The Burlington Northern and Santa Fe Railway Company*, STB Docket No. 42060 (Sub-No. 1). At issue are the North America Freight Car Association's (NAFCA) challenge to private tank car storage and diversion charges assessed by Burlington Northern, and the Burlington Northern's motion to dismiss a separate complaint filed by the NAFCA against storage and demurrage charges assessed by Burlington Northern on all private car types.
- *City of Lincoln--Petition for Declaratory Order*, STB Finance Docket No. 34425. At issue is the City's petition for an STB declaratory order (in which the agency issues a written decision stating its position on a matter of dispute) concerning the City's proposed acquisition of a strip of the Lincoln Lumber Company's railroad right-of-way.
- *Town of Milford, MA--Petition for Declaratory Order*, STB Finance Docket No. 34444. At issue is the Town's petition for an STB declaratory order on whether certain activity proposed by the Boston Railway Terminal Company on land owned by the Grafton and Upton Railroad Company is subject to state and local laws and regulations.
- *Railroad Revenue Adequacy--2003 Determination*, STB Ex Parte No. 552 (Sub-No. 8). This proceeding concerns the agency's annual determination of whether the Nation's railroads are revenue adequate by comparing the railroads' return-on-net-investment to the rail industry's cost of capital (the cost to railroads of financing operations through borrowed funds) for the calendar year 2003.
- *Chelsea Property Owners--Abandonment--Portion of the Consolidated Rail Corporation's West 30th Street Secondary Track in New York, NY*, Docket No. AB-167 (Sub-No 1094)A. At issue is whether the STB should grant a request to extend the period during which Offers of Financial Assistance will be accepted concerning the proposed abandonment of a rail line in New York City, and whether to hold the proceeding in abeyance for continuation of negotiations to resolve some of the matters at issue.
- *A & R Line, Inc.--Abandonment Exemption--in Cass and Pulaski Counties, IN*, STB Docket No. AB-855 (Sub-No. 1X). At issue is whether, in a situation where a rail line authorized for abandonment is rail banked for trail use, the railroad

or trail user should be required to post a performance bond or to escrow funds to cover potential future costs.

The STB's decision announcing the voting-conference agenda, in *Meetings of the Board*, STB Ex Parte No. 333, is available for viewing and downloading via the agency's Web site at <http://www.stb.dot.gov>. A printed copy of the Board's decision also is available for a fee by contacting **ASAP Document Solutions, 9332 Annapolis Rd., Suite 103, Lanham, MD 20706, telephone (301) 577-2600**, or via [asapmd@verizon.net](mailto:asapmd@verizon.net).

###