

**SURFACE TRANSPORTATION BOARD SETS TERMS, CONDITIONS FOR AMTRAK'S OPERATION OF 79-MPH TRAINS
BETWEEN PLAISTOW, NH & PORTLAND, ME**

Surface Transportation Board (Board) Chairman Linda J. Morgan announced today that the Board has set the terms and conditions under which the National Railroad Passenger Corporation (Amtrak) may operate at speeds of up to 79 miles per hour (mph) over certain rail facilities owned by the Guilford Rail System (Guilford) between Plaistow, New Hampshire and Portland, Maine. The Board's decision resolving the dispute that the private parties brought to it should help Amtrak and Guilford move closer to reestablishing passenger rail service between Boston, Massachusetts and Portland.

Freight railroads must permit Amtrak to operate over their lines, provided that Amtrak pays the "incremental costs" that the freight railroads incur through Amtrak's use of their facilities. If the parties cannot agree on the terms and conditions of Amtrak's access, they may bring their dispute to the Board for resolution. In a decision issued in this matter on May 29, 1998, the Board resolved a variety of issues that the parties had brought before it relating to Amtrak's compensation to Guilford for Amtrak's use of the line at issue.

Subsequently, Amtrak asked the Board to resolve a dispute over the appropriate weight of continuous welded rail that must be installed on the line to permit safe operation of Amtrak trains at speeds of up to 79 mph. Amtrak wanted to be able to use 115-pound rail to conduct its 79-mph operations, while Guilford argued that the operations could be safely conducted only over 132-pound rail. In support of their positions, the parties filed a variety of pleadings through August 9, 1999.

With assistance from the Federal Railroad Administration (FRA), the Federal agency with expertise on safety issues such as this one, the Board, generally reflecting the position taken by Amtrak, concluded that Amtrak will be able to operate safely at speeds up to 79 mph over 115-pound rail, provided that the line is rehabilitated to, and maintained at, a level that meets certain engineering standards, and provided that the line otherwise satisfies FRA's track safety standards for rail passenger train operations up to such speeds. The Board noted that other passenger trains have been able to operate safely at speeds of up to 79 mph over 115-pound track, and it expressed confidence that the parties will be able to upgrade the track sufficiently to permit such speeds. The Board indicated that it would remain available to resolve future disputes between the parties, but it encouraged them to resolve such matters privately in accordance with the Board's focus on promoting private sector resolution where possible.

The Board's decision was issued today in *National Railroad Passenger Corporation--Petition For Declaratory Order--Weight of Rail*, STB Finance Docket No. 33697. The decision is available on the Board's web site at www.stb.dot.gov.

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