

Media & Public Advisory: Surface Transportation Board Issues Schedule of Speakers, Time Allocations for April 5 Oral Argument on Proposed New Major Rail Merger Regulations—Media Seating Reservations Required for "Direct" Observation of Oral Argument in Board's Hearing Room

Surface Transportation Board (Board) Chairman Linda J. Morgan announced today that the Board has issued a decision scheduling speakers and time allocations for the **April 5, 2001** oral argument session[FOOTNOTE 1: Announced in the Board's decision issued February 23, 2001, in the case entitled *Major Rail Consolidation Procedures*, STB Ex Parte No. 582 (Sub-No. 1), and in Surface Transportation Board "News" release 01-6, also issued February 23.] concerning its proposed new major railroad merger regulations (to be issued by June 11, 2001). **The Board also advised interested members of the media that requests for reserved Hearing Room seating for the oral argument must be received in advance.**

The **Thursday, April 5 oral argument will begin at 10:00 a.m. in the Board's Hearing Room, Room 760, on the 7th Floor of its offices in the Mercury Building, 1925 K Street, N.W., in Washington, DC.** While the public is invited to attend the oral argument, no public participation will be allowed except for those parties whose formal requests to present oral argument were granted by the Board and are scheduled for presentation.

ORAL ARGUMENT PARTICIPATION

The Board received approximately 33 requests from parties wishing to participate in the oral argument in person. A list of participants for the oral argument is attached. All previously submitted comments by the participants in this proceeding have been posted to the Board's Website at www.stb.dot.gov. The comments also are available for viewing and self-copying in the Board's Microfilm Unit, Room 755, on the 7th Floor of the Board's offices. The oral argument will be video taped, and the Board will make arrangements to have the tapes copied, at cost, if there is sufficient public demand.

HEARING ROOM SEATING

Speakers, Their Associates, and the General Public. Given the large number of persons expected to participate and/or view the oral argument, the Board requests use of the Mercury Building's **west-side entrance located on 20th Street, between K and L Streets.** Speakers and their associates should enter through the doors marked "Speakers Only." All other attendees should use the entrance marked "Public." For security reasons, upon entering the 20th Street entrance, all persons should be prepared to produce photo identification (such as a driver's license), pass through a metal detector, and submit to an inspection of all briefcases, handbags and any other bags.

BRICK ROOM SEATING.

Because seating space in the Board's Hearing Room is limited, the Board will make seating available in an overflow room, the Brick Room on the Mercury Building's 1st Floor, with a closed-circuit telecast of the entire oral argument. Brick Room seating will be made available on a **"first come, first served"** basis. The Hearing Room and Brick Room comply with the Americans With Disabilities Act, and persons needing such accommodation should contact the Board's **Office of the Secretary, telephone number (202) 565-1650, by noon on Friday, March 30, 2001.**

ADMISSION BADGES

Participants. The Board will issue Hearing Room admission badges to each oral argument participant and one associate. Participant badges may be picked up **in advance from the Board's Information Officer, in Room 100 on the 1st**

Floor of the Mercury Building, beginning April 2, 2001, or may be picked up at the Board's 20th Street entrance beginning at 9:00 a.m. on April 5.

General Public. The Board will issue Hearing Room admission badges to members of the general public on a **first come, first served basis at the 20th Street entrance beginning at 9:00 a.m. on April 5.** Badges will be issued one per person.

Brick Room Admission. Passes will not be needed for Brick Room seating, but such seating will be made available on a **first come, first served basis at the 20th Street entrance beginning at 9:00 a.m. on April 5.**

Past experience indicates that a line of people wanting either Hearing Room or Brick Room seating will form outside the Board's 20th Street entrance well before the doors are opened at 9:00 a.m. "Line sitters" are permitted outside the 20th Street entrance, but passes will not be issued to line sitters.

MEDIA ATTENDANCE.

Because of the anticipated interest in the Board's new merger-regulation proposals, 15 seats will be reserved in the Hearing Room for members of the media to observe the oral argument directly. The Board is requiring those media members wanting a Hearing Room seat to submit their requests, **by fax only**, to the Board by the **close of business on Friday, March 23, 2001**, supplying the following information:

- 1. Name of seating requestor.**
- 2. Organization requestor represents.**
- 3. Requestor's phone number.**
- 4. Requestor's fax number.**

This information must be faxed to:

"MERGER RULES--ORAL ARGUMENT"
Office of Congressional & Public Services
Surface Transportation Board
Fax number (202) 565-9016

Hearing Room seating reservations will be limited to only one representative per news organization. All seating reservations will be accepted in the order in which they are received by fax. The 15 requestors for Hearing Room seating whose reservations are received first will be contacted to confirm receipt and to relay specific instructions for the Board's issuance of media passes **in advance** of the hearing.

Without exception, media members holding passes to the Hearing Room must be seated by **9:45 a.m.** on April 5 in the seating section reserved for them. Any reserved seat unoccupied by a media member will be given to the media member who is next in order for a seat, according to a list the Board will compile based on its chronological receipt of media seating reservation requests. Hearing Room passes are non-transferable to media organizations other than those to which they are issued. Hearing room passes for media members may, however, be transferred among different people within the same news organization to which they are issued, provided **advanced notice of such changes** is given to the Board's media officer, Dennis Watson, at telephone number **(202) 565-1596**.

Media members will be admitted to the Brick Room in the same manner as the general public, that is, on a first come, first admitted basis.

AUDIO FEEDS

The Board will make available--on a first-come, first-served basis --its eight Hearing Room audio-feed ports to members of the broadcast media wanting to broadcast the oral argument in its entirety or portions thereof. Still photographers will be allowed to take quick photos at the front of the Hearing Room on a limited basis. Requests for the use of the Board's audio ports, or for entrance for still photography, must be submitted--in advance--in the same manner as seating requests (see above).

Additionally, live and archived audio of STB public meetings are available for a fee via National Narrowcast Network's Hearings.com(sm) and Hearings-On-The-Line(r) Services. Live audio is available by telephone and on the Web at **www.Hearings.com**.½ The Web audio will be archived and available for listening on demand after the oral argument is

completed. Billing is based on listening time. Telephone (202) 966-2211 for further details.

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ATTACHMENT

Major Rail Consolidation Procedures

Ex Parte No. 582 (Sub-No. 1)

Oral Argument, Thursday, April 5, 2001

LIST OF PARTICIPANTS AND ALLOTTED SPEAKING TIMES (IN MINUTES)

U.S. GOVERNMENT ORGANIZATION

U.S. Department of Transportation: 8

CLASS I RAILROADS AND RELATED INTERESTS

Association of American Railroads: 15

Burlington Northern and Santa Fe Railway Company: 8

Canadian National: 8

Canadian Pacific: 8

CSX: 8

Kansas City Southern: 8

Norfolk Southern: 8

Union Pacific: 8

National Railway Labor Conference: 15

RAIL LABOR ORGANIZATIONS

Rail Labor Division of the TTD, AFL-CIO, and its affiliates / Allied Rail Unions: 15

IBEW / ATDD-BLE / IAM: 5

United Transportation Union: 10

REGIONAL & SHORTLINE RAILROAD ASSOCIATION

American Short Line and Regional Railroad Association: 10

GENERAL SHIPPERS, CHEMICALS & PLASTICS COMPANIES & ASSOCIATIONS

National Industrial Transportation League: 15

American Chemistry Council / American Forest & Paper Association: 15

BASF Corporation: 3

OxyChem and OxyVinyls: 3

Williams Energy Services: 3

COAL INTERESTS

The "Subscribing Coal Shippers" Group (WCTL; APPA; NRECA; AEC; City of Grand Island, NE;

City Utilities of Springfield, MO; LUS; PRPA; SRPAI&PD; TMPA; and NSPM D/B/A Excel Energy).: 5

Committee to Improve American Coal Transportation: 5

Consumers United for Rail Equity: 8

Edison Electric Institute: 12

AGRICULTURAL ASSOCIATION

National Grain & Feed Association: 10

PASSENGER RAILROADS & RELATED INTERESTS

National Railroad Passenger Corporation (Amtrak): 5

American Public Transportation Association: 3

United Rail Passenger Alliance (shared time allocation): 3

PORT INTERESTS

American Association of Port Authorities: 3

Jackson County Port Authority (Port of Pascagoula, MS): 5

Port Authority of New York and New Jersey: 5

Port of Seattle, WA: 5

STATE/LOCAL INTERESTS

State of Maryland: 5