

STB CHAIRMAN DANIEL R. ELLOTT III RESPONDS TO THE PRESIDENT'S EXECUTIVE ORDER ON COMPETITION

Surface Transportation Board Chairman Daniel R. Elliott III today responded to President Barack Obama's Executive Order No. 13725, "*Steps to Increase Competition and Better Inform Consumers and Workers to Support Continued Growth of the American Economy*," outlining agency actions and statutory resources to foster competition and enhance information available to the marketplace to support growth of the United States' economy. The Chairman's letter to the Director of the National Economic Council is available [here](#).

In responding to the order, Chairman Elliott noted a number of recent and pending rulemaking proceedings with implications for enhancing competition and information access, including:

- |↵| EP 704, Sub-No. 1, in which the Board has proposed to lift certain commodity exemptions due to changed circumstances in the relevant transportation markets;
- |↵| EP 711, in which the Board is considering a proposal to revise the rules governing competitive rail access; and,
- |↵| EP 724, Sub-No. 4, in which the Board has proposed to require large freight railroads to report performance data on a weekly basis, enhancing the Board's and shippers' perspective on operating conditions in near real-time.

Chairman Elliott also noted that the Board's regulation of the rail industry is informed by Congress' Rail Transportation Policy, which instructs the agency to foster competition in the marketplace, police anticompetitive practices, and reduce regulatory impediments, but also to ensure that railroads are earning adequate revenues to support their networks, to attract investment, and to provide safe and efficient transportation. As directed by the Executive Order, Chairman Elliott identified a number of statutory resources that can be invoked by stakeholders for purposes of increasing competition within the larger context of Congressional policy.

"We appreciate the President's focus on improving competition and the availability of information for consumers to support the growth of the economy. The Executive Order complements the Rail Transportation Policy established by Congress, and I will continue to work to ensure that the agency is taking actions that constructively facilitate competition in the industry for the benefit of all stakeholders," Chairman Elliott stated.

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