

STB ISSUES SUPPLEMENTAL NPR REQUIRING CLASS I RAILROADS TO PUBLICLY FILE WEEKLY DATA REPORTS ON SERVICE PERFORMANCE

The Surface Transportation Board today issued a Supplemental Notice of Proposed Rulemaking (SNPR) for purposes of establishing weekly reporting of rail service performance data by the Class I railroads and the Chicago Transportation Coordination Office (CTCO). In the wake of the rail service crisis during the winter and spring of 2013/2014, the Board required major railroads and CTCO to file public weekly performance reports on an interim basis, starting in October 2014.

In December 2014, the Board commenced a rulemaking proceeding to make reporting of service performance data permanent. After receiving stakeholder comments on the proposed rule, the Board decided to waive its *ex parte* rules temporarily in order to allow for discussions of the proposal between individual stakeholders and STB staff. These sessions allowed staff to talk candidly with railroads, shippers and other interested parties to gain additional insight into the utility of the interim reporting, to learn more about railroad data-keeping and performance measurement practices, and to discuss technical issues raised by the proposed rulemaking. After each meeting, the Board posted a written summary in the docket, and, at the end of the meeting period, allowed an additional round of comments.

The regulations being proposed in this SNPR reflect the Board's analysis of comments and the productive discussions between staff and stakeholders. The Board looks forward to receiving an additional round of opening and reply comments, due respectively May 31, 2016 and June 28, 2016, and intends to issue regulations shortly thereafter. In soliciting additional comments, the agency urges stakeholders to comment on the potential utility of each request, and to propose specific and detailed changes or modifications, if improvements can be made to a particular request.

In issuing the SNPR, Chairman Daniel R. Elliott III commented: "The railroads' reporting of service performance data on an interim basis has been very useful to the Board in monitoring the industry's recovery from the severe service downturn of 2013-2014. It also provides us with a near real-time perspective on the pulse of the industry, and benefits rail customers and other stakeholders in the same way. The rules proposed today will promote transparency going forward, and enhance the Board's ability to detect and respond to service issues."

The Board's [SNPR](#) in **EP 724 (Sub-No. 4)** may be viewed and downloaded at the STB's website, www.stb.dot.gov, under "E-LIBRARY / Decisions & Notices / 4/29/2016 " .

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