

## **Surface Transportation Board Issues Notice of February 27 Public Hearing on Proposed Procedures to Expedite Rail Rate Cases**

Surface Transportation Board (Board) Chairman Roger Nober today announced that the Board has invited rail shippers, railroads, and other interested persons to appear at a hearing on **February 27, 2003**, at its offices in Washington, D.C., to express their views on ways to expedite the resolution of rail rate challenges to be considered under the Board's Stand Alone Cost (SAC) methodology.

Initially announced via a January 24, 2003, public and media advisory (see Surface Transportation Board "News" release number 03-4 issued that date), the hearing follows the Board's review of comments filed with the agency in response to a September 4, 2002, Notice of Proposed Rulemaking (NPRM) in *Procedures to Expedite Resolution of Rail Rate Challenges to be Considered Under the Stand-Alone Cost Methodology*, STB Ex Parte No. 638. In that NPRM, the Board sought suggestions on ways to streamline the resolution of SAC cases, and the Board itself identified several possible measures to achieve that end. Such measures include a mandatory pre-filing, non-binding mediation process; "discovery" standards (for obtaining information that another party has) that are tailored to the Board's experience in SAC cases; and the establishment of an informal expedited process, using Board staff, for resolving discovery disputes. The February 27 hearing will provide a means for discussing these and any other proposals that interested persons may wish to offer to expedite the resolution of SAC cases.

The public hearing will begin at **10:00 a.m. EST on Thursday, February 27, in Room 760**, the Board's hearing room, **on the 7th Floor** at the agency's headquarters in the **Mercury Building, 1925 K Street, N.W.** (on the northeast corner of the intersection of 20th and K Sts.) **in Washington, D.C.**, and will continue, with short pauses if necessary, until every person scheduled to speak has been heard.

### **Official Participation**

As described fully in the official Notice of Public Hearing, any person wishing to speak at the February 27 hearing should file with the Board--as soon as possible but no later than **Wednesday, February 19, 2003**--an original, written Notice of Intent to Participate, plus 10 copies of that notice. Each speaker also should file with the Board an original copy of his or her written testimony, plus 10 copies, by **Friday, February 21, 2003**. Notices of Intent to Participate and testimony should be sent to:

### **Attn: STB Ex Parte No. 638**

**Surface Transportation Board  
1925 K Street, N.W.  
Washington, DC 20423-0001**

For further information concerning the filing of notices and/or testimony, telephone **Ms. Jamie P. Rennert, Office of the General Counsel, at (202) 565-1566**. The toll-free Federal Information Relay Service (FIRS) telephone number for the hearing impaired is **1 (800) 877-8339**.

As the Board stated earlier in its public and media advisory, parties to the proceeding, other interested persons, and the media will be advised--through forthcoming official public notices and Board news releases--of further news regarding this hearing.

A printed copy of today's decision announcing the Notice of Public Hearing in STB Ex Parte No. 638 is available for a fee by contacting **D~ 2 D~ Legal Copy Service, Suite 405, 1925 K Street, N.W., Washington, DC 20006, telephone (202) 293-7776**, or via [da2dalegal@earthlink.net](mailto:da2dalegal@earthlink.net). The decision also is available for viewing and downloading via the Board's website at <http://www.stb.dot.gov>.

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