



Office of the Chairman

Surface Transportation Board
Washington, D.C. 20423-0001

March 1, 2016

The Honorable John Thune
Chairman
Senate Committee on Science,
Commerce & Transportation
511 Dirksen Senate Office Building
Washington, DC 20510

The Honorable Bill Nelson
Ranking Member
Senate Committee on Science,
Commerce & Transportation
716 Hart Senate Office Building
Washington, DC 20510

Dear Chairman Thune and Honorable Senator Nelson,

I am writing to provide information pertaining to the Surface Transportation Board's implementation of Public Law 114-110, *Surface Transportation Board Reauthorization Act of 2015*. With this letter, please find a status chart of the major actions that the Board is undertaking to execute these requirements. I will continue to send you monthly updates until all relevant provisions of the Reauthorization Act are completed.

I expect that, by the end of this week, the three Board Members will send a response to the February 1, 2016, letter from Senators Thune, Nelson, Fischer and Booker regarding Reauthorization Act implementation and the potential merger of Canadian Pacific Railway and Norfolk Southern Corporation.

I thank you for your thoughtful oversight and interest in the Board. Please do not hesitate to contact me with any questions that you might have about this or any other matter before the Board.

Sincerely,

Daniel R. Elliott III

Chairman

**STB Reauthorization Act of 2015, P.L. 114-110 / STB Action Items
February 2016**

Section of Law - Action Required	Description	Deadline	Status
Sec. 6(a) - Annual Report	Report on each initiated investigation in Annual Report	Annually	To be included in FY2016 Annual Report and thereafter
Sec. 6(b) - Quarterly Rate Case Review Metrics Reports	Post quarterly reports of rate cases pending or completed during the previous quarter	First Qtr 2016	Quarterly report compilation underway; first posting 4/1/2016
Sec. 6(b) - Formal Service Complaints	1. Establish & maintain formal complaint database	First Qtr 2016	Quarterly report compilation underway; first posting 4/1/2016
	2. Create report		
	3. Post quarterly reports on website		
Sec. 6(b) - Informal Service Complaints	1. Establish & maintain informal complaint database	First Qtr 2016	Quarterly report compilation underway; first posting 4/1/2016
	2. Create report		
	3. Post to website		
Sec. 11 - Rate Case Expedition Proceeding	Assess procedures to expedite litigation in courts to potentially apply to expedition of STB rate cases	6/15/2016	Considering approaches for building record; will initiate proceeding by June 2016
Sec. 11 - Maintain Simplified Rate Case Processes	Maintain one or more simplified rate case methods for when SAC is too costly given value of the case	N/A	Maintain 3B, Simplified SAC; ongoing railroad rate regulation study and EP665 may result in additional ideas/approaches
Sec. 11 - Rate Review Timelines	Implement new rate review timelines for SAC cases	Board deadline: ASAP	Draft in review; team formed to consider approaches for building record; hope to issue a decision within the first quarter of 2016
Sec. 12 - Investigative Authority Rulemaking	Issue rules on STB-initiated investigations after public notice and comment	12/18/2016	Team formed to develop proposals for implementing investigative authority; intend to issue final rules by 12/18/2016
Sec. 13 - Arbitration Rulemaking	Promulgate regs to establish voluntary and binding arbitration process for rate and practice complaints	12/18/2016	Proposed rules to amend existing voluntary arbitration process under development; intend to issue final rules within the third quarter of 2016
Sec. 15 - Rate Case Methodology Report	Report to Congress on sufficiency of STB rate case methodologies and alternatives	12/18/2016	A railroad rate regulation study is ongoing and a final report is anticipated in advance of 12/18/2016
Sec. 15 - Unfinished Regulatory Proceedings Quarterly Reports	Provide quarterly progress report to Congress on pending proceedings; first report due 60 days after enactment	2/16/2016; Qtrly thereafter	First report submitted to Congress 2/16/2016; posted to website; next report underway