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SERVICE DATE – MARCH 26, 2013

SURFACE TRANSPORTATION BOARD

DECISION

Docket No. NOR 42137

NORTH AMERICA FREIGHT CAR ASSOCIATION

v.

BNSF RAILWAY COMPANY, CSX TRANSPORTATION, INC., CANADIAN NATIONAL RAILWAY COMPANY, KANSAS CITY SOUTHERN RAILWAY COMPANY, NORFOLK SOUTHERN RAILWAY COMPANY, CANADIAN PACIFIC RAILWAY COMPANY, UNION PACIFIC RAILROAD COMPANY AND ASSOCIATION OF AMERICAN RAILROADS

Decided: March 25, 2013

This decision establishes a procedural schedule for this proceeding.

North America Freight Car Association (NAFCA) challenges the reasonableness of certain practices and rules of interchange of the Association of American Railroads and the Class I railroads (collectively, Defendants). NAFCA alleges that Defendants mandate the use of an unreasonable process and unreasonably costly and/or burdensome repair and maintenance requirements on private railcar owners with the principal purpose and result of lowering the operating costs and increasing the profits of Class I railroads.

On March 18, 2013, NAFCA filed a motion in which it requests that the Board adopt the following procedural schedule:

Document Discovery Closes	June 24, 2013
Deposition Discovery Closes	August 7, 2013
Complainant's Opening Evidence	August 23, 2013
Defendants' Reply Evidence	October 22, 2013
Complainant's Rebuttal Evidence	November 21, 2013

NAFCA states that none of the defendants oppose the motion.

NAFCA's unopposed motion to establish a procedural schedule will be granted, and the procedural schedule set forth above will be adopted for this proceeding.

This decision will not significantly affect either the quality of the human environment or the conservation of energy resources.

It is ordered:

1. NAFCA's motion for a procedural schedule is granted, and the schedule described above is adopted for this proceeding.
2. This decision is effective on its service date.

By the Board, Rachel D. Campbell, Director, Office of Proceedings.