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SERVICE DATE – LATE RELEASE FEBRUARY 9, 2007

## SURFACE TRANSPORTATION BOARD

### DECISION

STB Ex Parte No. 664

#### METHODOLOGY TO BE EMPLOYED IN DETERMINING THE RAILROAD INDUSTRY'S COST OF CAPITAL

Decided: February 9, 2007

The Board will hold a public hearing for members of the public to present their views on the appropriate methodology to be employed in determining the railroad industry's estimated cost of capital to be used in future annual cost-of-capital determinations on Thursday, February 15, 2007, in the 7th floor hearing room at the Board's headquarters in the Mercury Building, 1925 K Street, N.W., Washington, D.C. The hearing will begin at 9:30 a.m.

The Board announced the hearing by notice served on January 12, 2007, and established due dates for persons wishing to speak at the hearing to advise the Board of their intent to participate and request a time allotment, and for submission of written testimony. Based on those submissions, the Board is issuing this decision to set the schedule of speakers for the hearing.

The schedule of appearances and the time provided for each party appear in the Appendix to this decision. The Board will have read the written submissions in advance of the hearing. Witnesses should not read their written submissions at the hearing, but instead should briefly summarize their key points.

If a party wishes to enhance its presentation by using projector-adaptable visual displays and/or handouts, it may do so. Staff will be available to demonstrate the hearing room's projection system on February 13, 2007, from 2 p.m. to 4 p.m. Please call (202) 565-1500, or (202) 565-1653, to make arrangements.

#### Instructions for Attendance at Hearing

The Board requests that all persons attending the hearing use the Mercury Building's main entrance at 1925 K Street (on the northeast corner of the intersection of 20th and K Streets). There will be no reserved seating. Please plan to arrive early enough to be seated no later than 9:15 a.m. For security reasons, all persons should be prepared to produce photo identification (such as a driver's license), pass through a metal detector, and submit to an inspection of all briefcases, handbags, and any other bags. Visitors must be cleared through security in the Board's Suite 100 (on the 1st Floor, at

the top of the ramp to the left of the main lobby) prior to being escorted to the hearing room.

Quiet laptops and tape recorders may be brought into the hearing room, but absolutely no provision will be made for the connection of personal computers to Board telephone lines. Cellular telephone use is not permitted in the hearing room, or in the rear anteroom. Cellular phones may only be used outside the hearing room.

The Board's hearing room complies with the Americans With Disabilities Act, and persons needing such accommodations should call (202) 565-1500, or (202) 565-1653, by the close of business on February 12, 2007.

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

It is ordered:

1. Time for the hearing is allotted as reflected in the Appendix to this decision.
2. This decision is effective on the date of service.

By the Board, Vernon A. Williams, Secretary.

Vernon A. Williams  
Secretary

**APPENDIX****SCHEDULE OF APPEARANCES****February 15, 2007**

<b><u>Party</u></b>	<b><u>Time Allotted</u></b>
<b>Panel I: Government</b>	
Canadian Transportation Agency Christa McClellan and Ron Ashley	7 minutes
Board of Governors of the Federal Reserve System Gregory L. Evans	10 minutes
<b>Panel II: Interested Parties</b>	
Association of American Railroads G. Paul Moates and Bruce E. Stangle	30 minutes
Western Coal Traffic League Robert D. Rosenberg and James E. Hodder	22 minutes
Snively King Majoros O'Connor & Lee, Inc. Charles W. King	10 minutes
National Industrial Transportation League John Ficker or Nicholas J. DiMichael	5 minutes