

SERVICE DATE – SEPTEMBER 21, 2007

SURFACE TRANSPORTATION BOARD

DECISION

STB Ex Parte No. 646 (Sub-No. 1)

SIMPLIFIED STANDARDS FOR RAIL RATE CASES

Decided: September 21, 2007

On September 5, 2007, the Board served a decision in this proceeding seeking to make its rail rate dispute resolution procedures more affordable and accessible to shippers of small and medium-size shipments, while simultaneously ensuring that the new guidelines do not result in arbitrary ratemaking. Under 49 CFR 1115.3(e), petitions for reconsideration would be due 20 days after service of that decision, September 25, 2007.

On September 13, 2007, a group of interested parties¹ requested an extension of time to file petitions for reconsideration until October 12, 2007. The Interested Parties contend that additional time is needed because of the extraordinary importance of the decision and the extensive record arising from both the multiple rounds of comments and the new methodologies presented for small and medium-size rate cases. Moreover, the Interested Parties argue that the need to coordinate the efforts of the many individual companies and associations comprising the Interest Parties, and the close proximity of this filing deadline to the deadline for comments in Methodology to be Employed in Determining the Railroad Industry's Cost of Capital, STB Ex Parte No. 664, a proceeding that a number of parties involved in this proceeding will also be working on, provide grounds to allow for additional time to file petitions for reconsideration.

¹ The group is comprised of: American Chemistry Council, American Forest and Paper Association, American Soybean Association, Agricultural Retailers Association, Colorado Wheat Administrative Committee, Corn Refiners Association, The Fertilizer Institute, Glass Producers Transportation Council, Idaho Barley Commission, Idaho Wheat Commission, Institute Of Scrap Recycling Industries, Iowa Soybean Association, Montana Wheat and Barley Committee, National Association of Wheat Growers, National Barley Growers Association, National Corn Growers Association, National Council of Farmers Cooperatives, National Farmers Union, National Grain and Feed Association, National Sorghum Producers, The National Industrial Transportation League, National Oilseed Processors Association, National Petrochemical & Refiners Association, Nebraska Wheat Board, North American Millers Association, North Dakota Grain Dealers Association, North Dakota Public Service Commission, North Dakota Wheat Commission, Oklahoma Wheat Commission, Paper and Forest Industry Transportation Committee, PPL EnergyPlus, LLC, South Dakota Wheat Commission, Texas Wheat Producers Board, USA Rice Federation, Washington Wheat Commission, Alliance for Rail Competition, Consumers United for Rail Equity, and the Honorable Brian Schweitzer, Governor, State of Montana (collectively, Interested Parties).

The Interested Parties' request for an extension of time to file petitions for reconsideration is reasonable and will be granted. Accordingly, parties will have until October 12, 2007, to file petitions for reconsideration in this proceeding.

It is ordered:

1. The Interested Parties' motion for an extension of time is granted and petitions for reconsideration are due on October 12, 2007.

2. This decision is effective on the date of service.

By the Board, Vernon A. Williams, Secretary.

Vernon A. Williams
Secretary