

SURFACE TRANSPORTATION BOARD

DECISION

STB Ex Parte No. 657

RAIL RATE CHALLENGES UNDER
THE STAND-ALONE COST METHODOLOGY

Decided: April 22, 2005

As indicated in the notice served on March 14, 2005, the Board will hold a public hearing in this proceeding on Tuesday, April 26, 2005, in Room 760 (the Board's Hearing Room), at the Board's headquarters in the Mercury Building, 1925 K Street, N.W., Washington, D.C. While the Board has previously indicated that the hearing would begin at 10:00 a.m., the hearing will begin instead at 9:30 a.m.

As provided in the March 14 Notice, parties wishing to speak at the hearing were instructed to advise the Board of their intent to participate and request a time allotment by no later than April 15, 2005, if they had not already done so. Notices of intent to speak were filed by: Snavely King Majoros O'Connor & Lee, Inc.; CSX Transportation and Norfolk Southern Railway Company (jointly); Union Pacific Railroad Company; Michael A. Nelson Consulting; Edison Electric Institute; BNSF Railway Company; The National Industrial Transportation League; The Western Coal Traffic League; Concerned Captive Coal Shippers;¹ United Transportation Union—General Committee of Adjustment (UTU/GO-386); and the United States Department of Transportation.

The Board is issuing this decision to set a schedule for the hearing. The schedule of appearances and the time provided for each party appear in the Appendix to this decision. The hearing will provide a forum for the oral discussion of issues involving the Board's Stand-Alone Cost Methodology that interested persons might wish to raise. As the Board will have read any written submissions in advance of the hearing, witnesses need not read their written submissions at the hearing, but should summarize their key points. The time allocations set forth in the Appendix are sufficient for these purposes.

¹ Concerned Captive Coal Shippers is made up of: American Electric Power Service Corporation; City of Grand Island, NE; City Utilities of Springfield; Duke Energy Corporation; Intermountain Power Project; Lafayette Utilities System; Platte River Power Authority; Progress Energy, Inc.; Reliant Energy, Inc.; Seminole Electric Cooperative, Inc.; South Carolina Public Service Authority (Santee Cooper); and South Mississippi Electric Power Association.

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 April 25, 2005, from 2 p.m. to 4 p.m. Please call (202) 565-1664 to make arrangements.

Quiet laptops and tape recorders may be brought into the Hearing Room, but 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 be used only outside the Hearing Room.

This action will not 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**

<u>PARTY</u>	<u>TIME ALLOTTED</u>
<u>Panel I: Government Entities</u>	
U.S. Department of Transportation Paul Samuel Smith	5 minutes
<u>Panel II: Shippers</u>	
Edison Electric Institute Michael F. McBride	10 minutes
The National Industrial Transportation League John Ficker Nicholas DiMichael	10 minutes
Concerned Captive Coal Shippers Jason Frisbie S.M. DeBord	10 minutes
Western Coal Traffic League Mark W. Schwirtz David L. Laffere Kelvin J. Dowd	10 minutes
<u>Panel III: Railroads</u>	
CSX Transportation and Norfolk Southern Railway Company G. Paul Moates	10 minutes
BNSF Railway Company John P. Lanigan Joseph P. Kalt Samuel M. Sipe	10 minutes
Union Pacific Railroad Company Louise A. Rinn	10 minutes

Panel IV: Other Interested Parties

Snavely King Majoros O'Connor & Lee, Inc.
Thomas O'Connor

5 minutes

Michael A. Nelson Consulting
Michael A. Nelson

5 minutes