

SURFACE TRANSPORTATION BOARD

DECISION

Docket No. EP 542 (Sub-No. 21)

REGULATIONS GOVERNING FEES FOR SERVICES PERFORMED  
IN CONNECTION WITH LICENSING AND RELATED SERVICES–2013 UPDATE

Decided: August 22, 2013

Digest:<sup>1</sup> This decision updates the fees that the public must pay to file certain cases and pleadings with the Board to cover the 2013 full cost levels. As compared to the 2012 Fee Update, 28 fees increased by \$100 or less, 47 fees increased by more than \$100, and 50 fees remained at their current level.

**BACKGROUND**

The Surface Transportation Board (STB or Board) is required by regulation at 49 C.F.R. § 1002.3 to update its user fees at least once per year. The Board's last annual user-fee update was issued in Regulations Governing Fees for Services Performed in Connection with Licensing & Related Services–2012 Update (2012 Fee Update), EP 542 (Sub-No. 20) (STB served July 27, 2012), and became effective August 26, 2012. This decision updates the Board's fees based on the cost study formula set forth at 49 C.F.R. § 1002.3(d) and other relevant factors.<sup>2</sup>

**RESULTS FROM THE 2013 UPDATE**

The Board's current master Schedule of Filing Fees, like last year, contains 125 fee items. Based on the various overhead cost changes described in this decision, we find the following results: (1) fees for 50 of the 125 fee items remain unchanged; (2) fees for 28 items have increased by \$100 or less; (3) fees for 31 items have increased by \$200 to \$600; (4) fees for 5 items have been increased by \$700 to \$2,500; (5) fees for seven items have been increased by \$2,600 to \$25,000; and (6) fees for four items have been increased by over \$25,000.<sup>3</sup>

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<sup>1</sup> The digest constitutes no part of the decision of the Board but has been prepared for the convenience of the reader. It may not be cited to or relied upon as precedent. Policy Statement on Plain Language Digests in Decisions, EP 696 (STB served Sept. 2, 2010).

<sup>2</sup> This updated current master fee schedule includes 125 fee items, as it did in 2012 Fee Update.

<sup>3</sup> The four items shown with increases over \$25,000 (actual increases of \$66,100 each) are all covered under fee items 38 through 41 [parts (i)] dealing with Major Transactions,

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The following table depicts the breakdown of user-fee changes for this proceeding.

**SUMMARY OF USER-FEE CHANGES FOR 2013**

<b>Fee Item Change Category:</b>	<b>Number of User Fees</b>	<b>Percent of Total User Fee Schedule</b>
<b>(1)</b>	<b>(2)</b>	<b>(3)</b>
<b>1. No Fee Change</b>	50	40.0%
<b>2. Increases of \$1 to \$50</b>	13	10.4%
<b>3. Increases of \$100</b>	15	12.0%
<b>4. Increases of \$200 to \$600</b>	31	24.8%
<b>5. Increases of \$700 to \$2,500</b>	5	4.0%
<b>6. Increases of \$2,600 to \$25,000</b>	7	5.6%
<b>7. Increases Over \$25,000</b>	4	3.2%
<b>TOTAL</b>	<b>125</b>	<b>100%</b>

**2013 UPDATE FACTORS**

Due to the continued Federal Government salary freeze<sup>4</sup> the 2013 update remains at the same level of direct-labor costs as reflected in the combined 2010 Government-wide general and

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respectively. Four of the seven fee items shown with increases of \$2,600 to \$25,000 (actual increases \$13,200 each) also pertain to fee items 38 through 41 [parts (ii)] dealing with Significant Transactions, respectively.

<sup>4</sup> On December 22, 2010, the President signed an Executive Order containing the 2011 and 2012 pay schedules for certain Federal civilian employees. Exec. Order No. 13561, 75 Fed. Reg. 81,817 (Dec. 22, 2010). Pursuant to section 147 of the Continuing Appropriations Act, 2011, Pub. L. No. 111-242, as amended by section 1(a) of the Continuing Appropriations and Surface Transportation Extensions Act, 2011, Pub. L. No. 111-322, Dec. 22, 2010, the Executive Order provides that the 2011 and 2012 pay rates (beginning January 1, 2011 and ending December 31, 2012) for the civilian employee pay schedules covered by the order are not adjusted and remain at 2010 levels. On March 26, 2013, the President signed legislation to continue the freeze on statutory pay adjustments for most Federal civilian employees until December 31, 2013. See Consolidated and Further Continuing Appropriations Act, 2013, Pub. L. No. 113-6, § 1112, 127 Stat. 198, 414 (2013). On April 5, 2013, the President issued a

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locality salary increase that took effect in January 2010.<sup>5</sup> The Government Fringe Benefit Cost Factor used in the current update formula is applied at the same rate as last year's decision – 56.25%.<sup>6</sup> The fees in this decision have either increased or remained unchanged from those in 2012 Fee Update, due mainly to various Board overhead cost factor changes. The three overhead cost factors are the Office General and Administrative Expense factor, the Operations Overhead factor, and the Board's Office General and Administrative Expense factor.

The Office General and Administrative Expense factor is based on the most current complete budget data, fiscal year (FY) 2012, which covers non-labor expenses, increased from 25.91% to 30.94%, an increase of 19.42%. Based on data for the seven individual categories that make up this factor, three category totals dominated the overall \$1,207,311.60 difference between FY 2011 and the FY 2012. The three categories were Services to the Board, Equipment Procurement, and Property Damage Indemnities/Other - Legal Settlement. They were responsible for \$1,194,309.90 of the \$1,207,311.60 total difference between FY 2011 and FY 2012 expenses, equating to 98.92% of the total difference.

For the Operations Overhead factor, the figure from our 2012 Fee Update decision is being applied. If the Board were to enter its FY 2012 payroll cost data into the mechanical formula, this figure would increase due to staff realignments involving three of its offices. Until a review is conducted on how much the duties of those employees affected by these realignments have changed, however, the Board does not believe it would be appropriate to increase this factor at this time. Therefore, the factor used in the 2012 Fee Update decision (17.81%) will be used on a transitional basis.

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memorandum directing Heads of Executive Departments and Agencies to continue with adherence to Executive Order 13561 through December 31, 2013. Memorandum on Federal Employee Pay Schedules and Rates That Are Set by Administrative Discretion, 2013 Daily Comp. Pres. Docs. \_\_ (Apr. 5, 2013), available at <http://www.gpo.gov/fdsys/browse/collection.action?collectionCode=CPD> (select "2013," then select "April").

<sup>5</sup> That combined increase from year 2010 was composed of a general schedule increase of 1.50% and a locality payment increase of 0.92%, for a total of 2.42%.

<sup>6</sup> No updates have been instituted with regard to the Government Fringe Benefit Cost Factor. Therefore, in accordance with instructions from the Office of Management and Budget, and based on past Board precedent, the component parts of the Government Fringe Benefit Cost Factor have been updated as follows: the Standard Civilian Retirement Benefit remains at 26.10%; the Insurance and Health Benefit remains at 7.00%; the Medicare Benefit remains at 1.45%; the Miscellaneous Fringe Benefit remains at 1.70%; and the Leave and Holiday Benefit remains at 20.00%. Memorandum for the Heads of Executive Departments and Agencies, Office of Mgmt. & Budget, Exec. Office of the President (Mar. 11, 2008), available at <http://www.whitehouse.gov/sites/default/files/omb/memoranda/fy2008/m08-13.pdf>.

The third cost category, the Board’s General and Administrative Expense factor<sup>7</sup>, increased slightly from 13.36% to 13.72%. The 2013 full cost level for each fee item developed from these factors is set forth in column 10 of APPENDIX A.<sup>8</sup>

Due to increases in two of the Board’s three overhead cost factors, the Operations Overhead factor and the Board’s General and Administrative Expense factor, the Board’s 125 fee items are adjusted to cover the 2013 full cost levels as compared to the 2012 Fee Update full cost levels.<sup>9</sup> Listed below is a summary of the full cost percentage changes for the Board’s 125 fee items.

**Full Cost Increase Ranges—FY 2012 Versus FY 2011**

<b>Percentage Increases:</b>	<b>Number of Items:</b>
0.00% to 2.99%	13
3.00% to 3.99%	22
4.00% to 4.99%	90
<b>TOTAL</b>	<b>125</b>

**FEDERAL REGISTER COST**

There is no change in publication costs from the 2012 Fee Update decision. The United States Government Printing Office (GPO) set publication costs at \$159 per column in GPO Circular Letter no. 851 on June 8, 2012. Thus, the 2012 Fee Update decision publication cost levels remain unchanged.

**OTHER FEES**

**1. Formal Complaint Fees:**

On July 7, 2011, the STB adopted a final rule that set the fees for full Stand-Alone Cost (SAC) rate complaints (fee item 56(i)) at \$350; set the fee for Simplified-SAC rate complaints at \$350 (item 56 (ii)); and reduced the fee for all other formal complaints from \$20,600 to \$350

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<sup>7</sup> This covers Board-wide support services; such as, inter alia, the mailroom staff, the information technology department, and the human resources department.

<sup>8</sup> The exact overhead factors utilized in APPENDIX A are as follows: Operations Overhead Factor = 0.17812720; Office Overhead Factor = 0.30942577; and Board Overhead Factor = 0.13716559.

<sup>9</sup> Of the 125 fee items contained in the Board’s Schedule of Filing Fees, 13 items either reflect no increase (12 items) or an outlier with a small 2.70% increase (1 item). The remaining 112 items fall into two distinct increase ranges: fee items with publication costs (3.39% to 4.31%), and those items with no publication costs (3.98% to 4.33%).

(item 56 (iv)). Regulations Governing Fees For Services, EP 542 (Sub-No. 18) (STB served July 7, 2011). These fees remain unchanged and are reflected in the Schedule of Filing Fees in APPENDIX B.

**2. Other Original Below-Cost Fees (Capped):**

Historically, certain fees have been held well below the full cost level. The Board capped these fees out of a concern that higher fees could have a chilling effect on the ability of some to bring a matter to the Board's attention, or because certain types of actions were deemed to benefit the general public. Such fees include: trail use condition requests—item 27(i); Amtrak conveyance and compensation proceedings—items 47 and 48, respectively; appeals of Board decisions—item 61(i); motor carrier undercharge proceedings—item 62; and labor arbitration proceedings—item 60. See Regulations Governing Fees for Services Performed in Connection with Licensing & Related Services—2002 New Fees (2002 New Fees), 7 S.T.B. 511 (2004).

Capped fees are occasionally adjusted, and the Board continues to monitor them. In Regulations Governing Fees for Services Performed in Connection with Licensing & Related Services—2009 Update, EP 542 (Sub-No. 16) (STB served May 5, 2009), the Board raised each of these six fee items from \$200 to \$250. The \$250 fees were based on a measurement of the full cost level changes between March 2004 and March 2009. These fee items were maintained at these levels in 2012 Fee Update, and the Board will continue to hold the six items constant at their \$250 levels in this decision.

Other below-cost fees are: the feeder line development program (\$2,600)—item 13; petition for declaratory order involving a dispute over an existing rate or practice (\$1,000)—item 58(i); and all other petitions for declaratory order (\$1,400)—item 58(ii). These items will also remain at their current fee levels, and are included in the Schedule of Filing Fees in APPENDIX B.

**3. Certain Fees from the 2002 New Fees Decision Held Below-Cost (Capped):**

In 2002 New Fees, the Board added 19 new fee items to its user-fee schedule. Six of those items were capped below their full costs for reasons discussed either in the 2002 New Fees final decision or in the Notice of Proposed Rulemaking for that proceeding.<sup>10</sup> Those capped items were: request for determination of a dispute involving a rail construction that crosses the line of another carrier—item 12(iv); formal complaint involving rail maximum rates filed under the Three Benchmark methodology—former item 56(ii), now 56(iii); request for an order compelling a rail carrier to establish a common carrier rate—item 56(vi); request for expedited or temporary relief for service emergency or service inadequacy—items 63(i) and 63(ii), respectively; and basic fee for STB adjudicatory services not otherwise covered—item 88.

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<sup>10</sup> Regulations Governing Fees for Services Performed in Connection with Licensing & Related Services—2002 New Fees, EP 542 (Sub-No. 4) (STB served Aug. 29, 2002).

In this decision, the Board will continue to hold the fees for these six 2002 New Fee items at their current levels. The Board adjusts the remaining 13 items established in 2002 New Fees to account for the changes in the Board's various overhead costs. These items are included in the Schedule of Filing Fees in APPENDIX B.

### **COMPARISON OF FEE LEVELS FOR YEARS 2012 AND 2013**

In order to show clearly the changes to user fees, the Board is providing a comparison table between the new 2013 fee levels and the 2012 fee levels. The item-by-item comparisons and their resulting differences are reflected in APPENDIX C.

### **NOTICE AND COMMENT REQUIREMENT**

The fee changes adopted here generally are a product of the mechanical application of the current update formula at 49 C.F.R. § 1002.3(d), which was adopted through notice and comment procedures in Regulations Governing Fees for Service—1987 Update, 4 I.C.C. 2d 137 (1987). This decision does not contain any new proposed fee items. Therefore, notice and comment are unnecessary for this proceeding. See Regulations Governing Fees For Services—1990 Update, 7 I.C.C. 2d 3 (1990); Regulations Governing Fees For Services—1991 Update, 8 I.C.C. 2d 13 (1991); Regulations Governing Fees For Services—1993 Update, 9 I.C.C. 2d 855 (1993).

It is ordered:

1. 49 C.F.R. Part 1002 of the Code of Federal Regulations is amended as indicated in APPENDIX B. Notice of the final rules adopted here will be transmitted to Congress pursuant to Pub. L. 104-121 (Mar. 29, 1996).
2. Notice of this decision will be published in the Federal Register.
3. These rules are effective on September 27, 2013.

By the Board, Chairman Elliott, Vice Chairman Begeman, and Commissioner Mulvey.

## APPENDIX A

FEE	2009 DIRECT LABOR	2013 DIRECT LABOR UPDATE [(2010 LEVEL NO INCR. (0.00%)]	(56.25%) GOVT. FRINGES	TOTAL 3+4	(17.81%) OPERATIONS OVERHEAD	(30.94%) OFFICE G&A	(13.72%) BOARD G&A	PUBLICATION COSTS	TOTAL SUM (5-9)
1	2	3	4	5	6	7	8	9	10
1	\$1,693.05	\$1734.02	\$975.39	\$2,709.41	\$482.62	\$987.70	\$573.31	\$4.00	\$4,757.04
2i	713.77	731.04	411.21	1142.26	203.47	416.40	241.70	189.13	2192.96
2ii	1107.48	1134.28	638.03	1772.31	315.70	646.08	375.02	340.96	3450.08
2iii <sup>11</sup>	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	2855.08
3	10494.52	10748.49	6046.02	16794.51	2991.56	6122.32	3553.74	189.13	29651.26
4i	1693.05	1734.02	975.39	2709.41	482.62	987.70	573.31	189.13	4942.17
4ii	40.69	41.67	23.44	65.12	11.60	23.74	13.78	0.00	114.23
5	190.95	195.57	110.01	305.58	54.43	111.40	64.66	5.00	541.07
6	546.44	559.66	314.81	874.47	155.77	318.78	185.04	273.28	1807.35
11i	2722.09	2787.96	1568.23	4356.19	775.96	1588.02	921.78	159.00	7800.95
11ii	582.88	596.99	335.80	932.79	166.16	340.04	197.38	291.51	1927.87
11iii	4739.81	4854.51	2730.66	7585.18	1351.13	2765.12	1605.03	189.13	13495.59
12i	28446.29	29134.69	16388.26	45522.95	8108.88	16595.07	9632.71	204.43	80064.04
12ii	582.88	596.99	335.80	932.79	166.16	340.04	197.38	291.51	1927.87

<sup>11</sup> There are several fee items, such as 2iii, which list a total sum in column 10 without broken-out costs in columns 2 through 9. The full costs for these items were not computed through a time-and-motion study. Instead, they were estimated in a prior fee update or in specific decisions, based either on a comparable fee item (e.g., the costs for non-rail-related petitions to revoke were based upon the costs for rail-related petitions to revoke) or through a special calculation intended to lower the user fee below actual full costs (e.g., complaints for small rate cases—Three Benchmark).

<b>FEE</b>	<b>2009 DIRECT LABOR</b>	<b>2013 DIRECT LABOR UPDATE [(2010 LEVEL <u>NO</u> INCR. (0.00%)]</b>	<b>(56.25%) GOVT. FRINGES</b>	<b>TOTAL 3+4</b>	<b>(17.81%) OPERATIONS OVERHEAD</b>	<b>(30.94%) OFFICE G&amp;A</b>	<b>(13.72%) BOARD G&amp;A</b>	<b>PUBLICATION COSTS</b>	<b>TOTAL SUM (5-9)</b>
1	2	3	4	5	6	7	8	9	10
12iii	28446.29	29134.69	16388.26	45522.95	8108.88	16595.07	9632.71	204.43	80064.04
12iv	5650.79	5787.54	3255.49	9043.03	1610.81	3296.57	1913.52	0.00	15863.93
13	8737.26	8948.70	5033.64	13982.35	2490.64	5097.17	2958.68	185.50	24714.33
14i	2304.35	2360.12	1327.56	3687.68	656.88	1344.32	780.32	189.13	6658.32
14ii	582.88	596.99	335.80	932.79	166.16	340.04	197.38	291.51	1927.87
14iii	2457.50	2516.97	1415.80	3932.77	700.53	1433.66	832.18	208.70	7107.84
15	588.40	602.64	338.98	941.62	167.73	343.26	199.25	162.62	1814.48
16	2226.33	2280.21	1,282.62	3,562.82	634.64	1298.80	753.90	231.78	6481.94
17	8033.08	8227.48	4627.96	12855.44	2289.90	4686.36	2720.23	159.00	22710.93
21i	8417.06	8620.75	4849.17	13469.93	2399.36	4910.37	2850.25	159.00	23788.91
21ii	1256.49	1286.90	723.88	2010.78	358.17	733.01	425.48	403.54	3930.99
21iii	2332.75	2389.20	1343.93	3733.13	664.97	1360.89	789.93	231.78	6780.70
22	182.03	186.44	104.87	291.30	51.89	106.19	61.64	0.00	511.03
23	726.31	743.89	418.44	1162.32	207.04	423.72	245.95	0.00	2039.03
24	695.02	711.84	400.41	1112.25	198.12	405.46	235.35	0.00	1951.19
25	597.83	612.30	344.42	956.71	170.42	348.76	202.44	0.00	1678.34
26	8662.94	8872.58	4990.83	13863.41	2469.45	5053.81	2933.52	0.00	24320.19
27i	448.22	459.07	258.23	717.29	127.77	261.48	151.78	0.00	1258.32
27ii	175.78	180.03	101.27	281.30	50.11	102.55	59.52	0.00	493.48
36	7175.66	7349.31	4133.99	11483.30	2045.49	4186.16	2429.88	189.13	20333.95
37	3842.90	3935.90	2213.94	6149.84	1095.45	2241.88	1301.31	189.13	10977.62
38i	567710.25	581448.84	327064.97	908513.81	161831.02	331192.27	192242.66	5843.36	1599623.12
38ii	113544.33	116292.10	65414.31	181706.41	32366.85	66239.78	38449.30	1168.66	319931.01
38iii	2304.35	2360.12	1327.56	3687.68	656.88	1344.32	780.32	1494.06	7963.26

<b>FEE</b>	<b>2009 DIRECT LABOR</b>	<b>2013 DIRECT LABOR UPDATE [2010 LEVEL NO INCR. (0.00%)</b>	<b>(56.25%) GOVT. FRINGES</b>	<b>TOTAL 3+4</b>	<b>(17.81%) OPERATIONS OVERHEAD</b>	<b>(30.94%) OFFICE G&amp;A</b>	<b>(13.72%) BOARD G&amp;A</b>	<b>PUBLICATION COSTS</b>	<b>TOTAL SUM (5--9)</b>
1	2	3	4	5	6	7	8	9	10
38iv	546.44	559.66	314.81	874.47	155.77	318.78	185.04	273.28	1807.35
38v	2304.35	2360.12	1327.56	3687.68	656.88	1344.32	780.32	1494.06	7963.26
38vi	3517.49	3602.61	2026.47	5629.08	1002.69	2052.04	1191.12	189.13	10064.07
38vii	2116.39	2167.61	1219.28	3386.89	603.30	1234.67	716.67	0.00	5941.52
39i	567710.25	581448.84	327064.97	908513.81	161831.02	331192.27	192242.66	5843.36	1599623.12
39ii	113544.33	116292.10	65414.31	181706.41	32366.85	66239.78	38449.30	1168.66	319931.01
39iii	2304.35	2360.12	1327.56	3687.68	656.88	1344.32	780.32	1494.06	7963.26
39iv	396.62	406.22	228.50	634.72	113.06	231.38	134.31	294.15	1407.61
39v	2304.35	2360.12	1327.56	3687.68	656.88	1,344.32	780.32	1,494.06	7,963.26
39vi	3517.49	3602.61	2026.47	5629.08	1002.69	2052.04	1191.12	189.13	10064.07
39vii	2116.39	2167.61	1219.28	3386.89	603.30	1234.67	716.67	0.00	5941.52
40i	567710.25	581448.84	327064.97	908513.81	161831.02	331192.27	192242.66	5843.36	1599623.12
40ii	113544.33	116292.10	65414.31	181706.41	32366.85	66239.78	38449.30	1168.66	319931.01
40iii	2304.35	2360.12	1327.56	3687.68	656.88	1344.32	780.32	1494.06	7963.26
40iv	367.36	376.25	211.64	587.89	104.72	214.31	124.40	240.51	1271.83
40v	2304.35	2360.12	1327.56	3687.68	656.88	1344.32	780.32	1494.06	7963.26
40vi	3517.49	3602.61	2026.47	5629.08	1002.69	2052.04	1191.12	189.13	10064.07
40vii	2116.39	2167.61	1219.28	3386.89	603.30	1234.67	716.67	0.00	5941.52
41i	567710.25	581448.84	327064.97	908513.81	161831.02	331192.27	192242.66	5843.36	1599623.12
41ii	113544.33	116292.10	65414.31	181706.41	32366.85	66239.78	38449.30	1168.66	319931.01
41iii	2304.35	2360.12	1327.56	3687.68	656.88	1344.32	780.32	1494.06	7963.26
41iv	436.78	447.35	251.63	698.98	124.51	254.81	147.91	272.57	1498.78
41v	2304.35	2360.12	1327.56	3687.68	656.88	1344.32	780.32	1494.06	7963.26

<b>FEE</b>	<b>2009 DIRECT LABOR</b>	<b>2013 DIRECT LABOR UPDATE [2010 LEVEL <u>NO</u> INCR. (0.00%)]</b>	<b>(56.25%) GOVT. FRINGES</b>	<b>TOTAL 3+4</b>	<b>(17.81%) OPERATIONS OVERHEAD</b>	<b>(30.94%) OFFICE G&amp;A</b>	<b>(13.72%) BOARD G&amp;A</b>	<b>PUBLICATION COSTS</b>	<b>TOTAL SUM (5--9)</b>
1	2	3	4	5	6	7	8	9	10
41vi	2457.50	2516.97	1415.80	3932.77	700.53	1433.66	832.18	208.70	7107.84
41vii	2116.39	2167.61	1219.28	3386.89	603.30	1234.67	716.67	0.00	5941.52
42	788.77	807.86	454.42	1262.28	224.85	460.15	267.10	344.50	2558.88
43	26620.47	27264.69	15336.39	42601.07	7588.41	15529.92	9014.44	189.13	74922.97
44i	4876.97	4994.99	2809.68	7804.68	1390.23	2845.14	1651.48	189.13	13880.65
44ii	40.69	41.67	23.44	65.12	11.60	23.74	13.78	0.00	114.23
45	302.91	310.24	174.51	484.75	86.35	176.71	102.57	0.00	850.38
46	2993.43	3065.87	1724.55	4790.42	853.30	1746.31	1013.66	189.13	8592.83
47	57575.73	58969.06	33170.10	92139.16	16412.49	33588.68	19496.76	0.00	161637.09
48	69833.23	71523.19	40231.80	111754.99	19906.60	40739.49	23647.50	0.00	196048.58
56i	159437.34	163295.72	91853.84	255149.57	45449.08	93012.97	53989.97	0.00	447601.58
56ii	15818.88	16201.70	9113.45	25315.15	4509.32	9228.46	5356.72	0.00	44409.65
56iii	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	150.00
56iv	15818.88	16201.70	9113.45	25315.15	4509.32	9228.46	5356.72	0.00	44409.65
56v	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	150.00
56vi	19716.73	20193.87	11359.05	31552.93	5620.43	11502.40	6676.64	0.00	55352.40
57	3392.93	3475.04	1954.71	5429.75	967.19	1979.38	1148.94	0.00	9525.25
58i	3187.45	3264.59	1836.33	5100.92	908.61	1859.50	1079.36	596.26	9544.65
58ii	2522.09	2583.12	1453.01	4036.13	718.94	1471.34	854.05	159.00	7239.47
59	2621.98	2685.43	1510.56	4195.99	747.42	1529.62	887.88	189.13	7550.03
60	5195.59	5321.32	2993.24	8314.57	1481.05	3031.02	1759.37	0.00	14586.01
61i	2532.93	2594.23	1459.25	4053.48	722.03	1477.67	857.72	0.00	7110.90

<b>FEE</b>	<b>2009 DIRECT LABOR</b>	<b>2013 DIRECT LABOR UPDATE [2010 LEVEL <u>NO</u> INCR. (0.00%)]</b>	<b>(56.25%) GOVT. FRINGES</b>	<b>TOTAL 3+4</b>	<b>(17.81%) OPERATIONS OVERHEAD</b>	<b>(30.94%) OFFICE G&amp;A</b>	<b>(13.72%) BOARD G&amp;A</b>	<b>PUBLICATION COSTS</b>	<b>TOTAL SUM (5-9)</b>
1	2	3	4	5	6	7	8	9	10
61ii	144.52	148.02	83.26	231.28	41.20	84.31	48.94	0.00	405.72
62	4012.83	4109.94	2311.84	6421.78	1143.89	2341.02	1358.86	0.00	11265.55
63i	7124.53	7296.94	4104.53	11401.47	2030.91	4156.33	2412.57	0.00	20001.28
63ii	7,942.00	8,134.20	4,575.49	12,709.68	2263.94	4633.22	2689.38	0.00	22296.23
64	228.62	234.15	131.71	365.86	65.17	133.37	77.42	0.00	641.82
76	474.89	486.38	273.59	759.97	135.37	277.04	160.81	2.00	1335.20
77	50.23	51.45	28.94	80.38	14.32	29.30	17.01	0.00	141.01
78	9.45	9.68	5.44	15.12	2.69	5.51	3.20	0.00	26.53
79i	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	75.00
79ii	59.85	61.30	34.48	95.78	17.06	34.92	20.27	0.00	168.02
80	234.26	239.93	134.96	374.89	66.78	136.66	79.33	0.00	657.66
81i	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	75.00
81ii	59.85	61.30	34.48	95.78	17.06	34.92	20.27	0.00	168.02
82	95.11	97.41	54.79	152.21	27.11	55.49	32.21	0.00	267.01
83	15.72	16.10	9.06	25.16	4.48	9.17	5.32	0.00	44.13
84	101.89	104.36	58.70	163.06	29.04	59.44	34.50	0.00	286.04
85	437.96	448.56	252.31	700.87	124.84	255.50	148.31	0.00	1229.52
86i	570.63	584.44	328.75	913.19	162.66	332.90	193.23	0.00	1601.98
86ii	1959.82	2007.25	1129.08	3136.32	558.66	1143.32	663.65	0.00	5501.96
86iii	200.62	205.48	115.58	321.05	57.19	117.04	67.94	0.00	563.22
87i	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	75.00
87ii	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	75.00

<b>FEE</b>	<b>2009 DIRECT LABOR</b>	<b>2013 DIRECT LABOR UPDATE [2010 LEVEL <u>NO</u> INCR. (0.00%)]</b>	<b>(56.25%) GOVT. FRINGES</b>	<b>TOTAL 3+4</b>	<b>(17.81%) OPERATIONS OVERHEAD</b>	<b>(30.94%) OFFICE G&amp;A</b>	<b>(13.72%) BOARD G&amp;A</b>	<b>PUBLICATION COSTS</b>	<b>TOTAL SUM (5-9)</b>
1	2	3	4	5	6	7	8	9	10
87iii	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	75.00
87iv	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	75.00
87v	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	150.00
88	218.71	224.00	126.00	350.00	62.35	127.59	74.06	0.00	614.00
96	12.29	12.59	7.08	19.67	3.50	7.17	4.16	0.00	34.50
97	9.35	9.58	5.39	14.96	2.67	5.45	3.17	0.00	26.25
98ia	62.27	63.78	35.87	99.65	17.75	36.33	21.09	0.00	174.82
98ib	18.05	18.49	10.40	28.89	5.15	10.53	6.11	0.00	50.67
98iia	98.38	100.76	56.68	157.44	28.04	57.39	33.31	159.00	435.19
98iib	18.05	18.49	10.40	28.89	5.15	10.53	6.11	0.00	50.67
99i	73.11	74.88	42.12	117.00	20.84	42.65	24.76	0.00	205.25
99ii	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	25.00
100i	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	250.00
100ii	70.19	71.89	40.44	112.33	20.01	40.95	23.77	0.00	197.05
102	6.51	6.67	3.75	10.42	1.86	3.80	2.20	0.00	18.28
103	40.33	41.31	23.23	64.54	11.50	23.53	13.66	0.00	113.22
104	27.91	28.59	16.08	44.66	7.96	16.28	9.45	0.00	78.35
105	0.91	0.93	0.52	1.46	0.26	0.53	0.31	0.00	2.55
106	70.19	71.89	40.44	112.33	20.01	40.95	23.77	0.00	197.05

**APPENDIX B**

For the reasons set forth in the preamble, title 49, chapter X, part 1002, of the Code of Federal Regulations is amended as follows:

Part 1002 - FEES

1. The authority citation for part 1002 continues to read as follows:

Authority: 5 U.S.C. 552(a)(4)(A) and 553; 31 U.S.C. 9701 and 49 U.S.C. 721(a).

2. Section 1002.1 is amended by revising paragraphs (a) and (e) as follows:

§ 1002.1 Fees for record search, review, copying, certification, and related service.

(a) Certificate of the Records Officer, \$18.00.

\* \* \* \* \*

(e) Fees for courier services to transport agency records to provide on-site access to agency records stored off-site will be set at the rates set forth in the Board’s agreement with its courier service provider. Rate information can be obtained from the Board’s Records Officer, Room 1200, Surface Transportation Board, Washington, DC 20423-0001.

\* \* \* \* \*

3. In § 1002.2, paragraph (f) is revised as follows:

(f) Schedule of filing fees.

<b>Type of Proceeding</b>	<b>Fee</b>
<b>PART I: Non-Rail Applications or Proceedings to Enter Upon a Particular Financial Transaction or Joint Arrangement:</b>	
(1) An application for the pooling or division of traffic.....	\$4,700.
(2) (i) An application involving the purchase, lease,	

consolidation, merger, or acquisition of control of a motor carrier of passengers under 49 U.S.C. 14303 .....	\$2,100.
(ii) A petition for exemption under 49 U.S.C. 13541 (other than a rulemaking) filed by a non-rail carrier not otherwise covered .....	\$3,400.
(iii) A petition to revoke an exemption filed under 49 U.S.C. 13541(d) .....	\$2,800.
(3) An application for approval of a non-rail rate association agreement. 49 U.S.C. 13703. ....	\$29,600.
(4) An application for approval of an amendment to a non-rail rate association agreement:	
(i) Significant amendment .....	\$4,900.
(ii) Minor amendment .....	\$100.
(5) An application for temporary authority to operate a motor carrier of passengers. 49 U.S.C. 14303(i) .....	\$500.
(6) A notice of exemption for transaction within a motor passenger corporate family that does not result in adverse changes in service levels, significant operational changes, or a change in the competitive balance with motor passenger carriers outside the corporate family ....	\$1,800.
(7)-(10) [Reserved]	

<b>PART II: Rail Licensing Proceedings other than Abandonment or Discontinuance Proceedings:</b>	
(i) An application for a certificate authorizing the extension, acquisition, or operation of lines of railroad. 49 U.S.C. 10901 .....	\$7,800.
(ii) Notice of exemption under 49 CFR 1150.31-1150.35 .....	\$1,900.
(iii) Petition for exemption under 49 U.S.C. 10502 .....	\$13,400.
(12) (i) An application involving the construction of a rail line-	\$80,000.

(ii) A notice of exemption involving construction of a rail line under 49 CFR 1150.36 .....	\$1,900.
(iii) A petition for exemption under 49 U.S.C. 10502 involving construction of a rail line .....	\$80,000.
(iv) A request for determination of a dispute involving a rail construction that crosses the line of another carrier under 49 U.S.C. 10902(d) .....	\$250.
(13) A Feeder Line Development Program application filed under 49 U.S.C. 10907(b)(1)(A)(i) or 10907(b)(1)(A)(ii)	\$2,600.
(14) (i) An application of a class II or class III carrier to acquire an extended or additional rail line under 49 U.S.C. 10902. ....	\$6,600.
(ii) Notice of exemption under 49 CFR 1150.41 - 1150.45 .....	\$1,900.
(iii) Petition for exemption under 49 U.S.C. 10502 relating to an exemption from the provisions of 49 U.S.C. 10902 .....	\$7,100.
(15) A notice of a modified certificate of public convenience and necessity under 49 CFR 1150.21-1150.24.....	\$1,800.
(16) An application for a land-use-exemption permit for a facility existing as of October 16, 2008 under 49 U.S.C. 10909 .....	\$6,400.
(17) An application for a land-use-exemption permit for a facility not existing as of October 16, 2008 under 49 U.S.C. 10909 .....	\$22,700.
(18)-(20) [Reserved]	

<b>PART III: Rail Abandonment or Discontinuance of Transportation Services Proceedings:</b>	
(21) (i) An application for authority to abandon all or a portion of a line of railroad or discontinue operation thereof filed by a railroad (except applications filed by Consolidated Rail Corporation pursuant to the Northeast	

Rail Service Act [Subtitle E of Title XI of Pub. L. 97-35], bankrupt railroads, or exempt abandonments) .....	\$23,700.
(ii) Notice of an exempt abandonment or discontinuance under 49 CFR 1152.50.....	\$3,900.
(iii) A petition for exemption under 49 U.S.C. 10502 ....	\$6,700.
(22) An application for authority to abandon all or a portion of a line of a railroad or operation thereof filed by Consolidated Rail Corporation pursuant to Northeast Rail Service Act.....	\$500.
(23) Abandonments filed by bankrupt railroads.....	\$2,000.
(24) A request for waiver of filing requirements for abandonment application proceedings.....	\$1,900.
(25) An offer of financial assistance under 49 U.S.C. 10904 relating to the purchase of or subsidy for a rail line proposed for abandonment .....	\$1,600.
(26) A request to set terms and conditions for the sale of or subsidy for a rail line proposed to be abandoned.....	\$24,300.
(27) (i) Request for a trail use condition in an abandonment proceeding under 16 U.S.C.1247(d).....	\$250.
(ii) A request to extend the period to negotiate a trail use agreement.....	\$450.
(28)-(35) [Reserved]	

<b>PART IV: Rail Applications to Enter Upon a Particular Financial Transaction or Joint Arrangement:</b>	
(36) An application for use of terminal facilities or other applications under 49 U.S.C. 11102 .....	\$20,300.
(37) An application for the pooling or division of traffic. 49 U.S.C. 11322.....	\$10,900.
(38) An application for two or more carriers to consolidate or merge their properties or franchises (or a part thereof) into one corporation for ownership, management, and	

operation of the properties previously in separate ownership. 49 U.S.C. 11324:	
(i) Major transaction .....	\$1,599,600.
(ii) Significant transaction .....	\$319,900.
(iii) Minor transaction .....	\$7,900.
(iv) Notice of an exempt transaction under 49 CFR 1180.2(d).....	\$1,800.
(v) Responsive application.....	\$7,900.
(vi) Petition for exemption under 49 U.S.C. 10502.....	\$10,000.
(vii) A request for waiver or clarification of regulations filed in a major financial proceeding as defined at 49 CFR 1180.2(a) .....	\$5,900.
(39) An application of a non-carrier to acquire control of two or more carriers through ownership of stock or otherwise. 49 U.S.C. 11324:	
(i) Major transaction .....	\$1,599,600.
(ii) Significant transaction .....	\$319,900.
(iii) Minor transaction .....	\$7,900.
(iv) A notice of an exempt transaction under 49 CFR 1180.2(d).....	\$1,400.
(v) Responsive application.....	\$7,900.
(vi) Petition for exemption under 49 U.S.C. 10502.....	\$10,000.
(vii) A request for waiver or clarification of regulations filed in a major financial proceeding as defined at 49 CFR 1180.2(a) .....	\$5,900.
(40) An application to acquire trackage rights over, joint ownership in, or joint use of any railroad lines owned and operated by any other carrier and terminals incidental thereto. 49 U.S.C. 11324:	

(i) Major transaction .....	\$1,599,600.
(ii) Significant transaction .....	\$319,900.
(iii) Minor transaction .....	\$7,900.
(iv) Notice of an exempt transaction under 49 CFR 1180.2(d) .....	\$1,200.
(v) Responsive application.....	\$7,900.
(vi) Petition for exemption under 49 U.S.C. 10502 .....	\$10,000.
(vii) A request for waiver or clarification of regulations filed in a major financial proceeding as defined at 49 CFR 1180.2(a) .....	\$5,900.
(41) An application of a carrier or carriers to purchase, lease, or contract to operate the properties of another, or to acquire control of another by purchase of stock or otherwise. 49 U.S.C. 11324:	
(i) Major transaction .....	\$1,599,600.
(ii) Significant transaction .....	\$319,900.
(iii) Minor transaction .....	\$7,900.
(iv) Notice of an exempt transaction under 49 CFR 1180.2(d) .....	\$1,400.
(v) Responsive application.....	\$7,900.
(vi) Petition for exemption under 49 U.S.C. 10502 .....	\$7,100.
(vii) A request for waiver or clarification of regulations filed in a major financial proceeding as defined at 49 CFR 1180.2(a) .....	\$5,900.
(42) Notice of a joint project involving relocation of a rail line under 49 CFR 1180.2(d)(5) .....	\$2,500.
(43) An application for approval of a rail rate association agreement. 49 U.S.C. 10706 .....	\$74,900.

(44)	An application for approval of an amendment to a rail rate association agreement. 49 U.S.C. 10706:	
	(i) Significant amendment .....	\$13,800.
	(ii) Minor amendment .....	\$100.
(45)	An application for authority to hold a position as officer or director under 49 U.S.C. 11328.....	\$850.
(46)	A petition for exemption under 49 U.S.C. 10502 (other than a rulemaking) filed by rail carrier not otherwise covered.....	\$8,500.
(47)	National Railroad Passenger Corporation (Amtrak) conveyance proceeding under 45 U.S.C. 562.....	\$250.
(48)	National Railroad Passenger Corporation (Amtrak) compensation proceeding under Section 402(a) of the Rail Passenger Service Act .....	\$250.
(49)-(55) [Reserved]		

<b>PART V: Formal Proceedings:</b>		
(56)	A formal complaint alleging unlawful rates or practices of carriers:	
	(i) A formal complaint filed under the coal rate guidelines (Stand-Alone Cost Methodology) alleging unlawful rates and/or practices of rail carriers under 49 U.S.C. 10704(c)(1) .....	\$350.
	(ii) A formal complaint involving rail maximum rates filed under the Simplified-SAC methodology .....	\$350.
	(iii) A formal complaint involving rail maximum rates filed under the Three Benchmark methodology .....	\$150.
	(iv) All other formal complaints (except competitive access complaints) .....	\$350.
	(v) Competitive access complaints .....	\$150.

	(vi) A request for an order compelling a rail carrier to establish a common carrier rate .....	\$250.
(57)	A complaint seeking or a petition requesting institution of an investigation seeking the prescription or division of joint rates or charges. 49 U.S.C. 10705 .....	\$9,500.
(58)	A petition for declaratory order:	
	(i) A petition for declaratory order involving a dispute over an existing rate or practice which is comparable to a complaint proceeding.....	\$1,000.
	(ii) All other petitions for declaratory order .....	\$1,400.
(59)	An application for shipper antitrust immunity. 49 U.S.C. 10706(a)(5)(A).....	\$7,500.
(60)	Labor arbitration proceedings .....	\$250.
(61)	(i) An appeal of a Surface Transportation Board decision on the merits or petition to revoke an exemption pursuant to 49 U.S.C. 10502(d).....	\$250.
	(ii) An appeal of a Surface Transportation Board decision on procedural matters except discovery rulings	\$400.
(62)	Motor carrier undercharge proceedings .....	\$250.
(63)	(i) Expedited relief for service inadequacies: A request for expedited relief under 49 U.S.C. 11123 and 49 CFR part 1146 for service emergency.....	\$250.
	(ii) Expedited relief for service inadequacies: A request for temporary relief under 49 U.S.C. 10705 and 11102, and 49 CFR part 1147 for service inadequacy.....	\$250.
(64)	A request for waiver or clarification of regulations except one filed in an abandonment or discontinuance proceeding, or in a major financial proceeding as defined at 49 CFR 1180.2(a).....	\$600.
(65)-(75) [Reserved]		

<b>PART VI: Informal Proceedings:</b>	
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(76)	An application for authority to establish released value rates or ratings for motor carriers and freight forwarders of household goods under 49 U.S.C. 14706 .....	\$1,300.
(77)	An application for special permission for short notice or the waiver of other tariff publishing requirements .....	\$100.
(78)	The filing of tariffs, including supplements, or contract summaries .....	\$1 per page. (\$26 minimum charge.)
(79)	Special docket applications from rail and water carriers:	
	(i) Applications involving \$25,000 or less.....	\$75.
	(ii) Applications involving over \$25,000.....	\$150.
(80)	Informal complaint about rail rate applications .....	\$650.
(81)	Tariff reconciliation petitions from motor common carriers:	
	(i) Petitions involving \$25,000 or less .....	\$75.
	(ii) Petitions involving over \$25,000 .....	\$150.
(82)	Request for a determination of the applicability or reasonableness of motor carrier rates under 49 U.S.C. 13710(a)(2) and (3).....	\$250.
(83)	Filing of documents for recordation. 49 U.S.C. 11301 and 49 CFR 1177.3(c).....	\$44 per document.
(84)	Informal opinions about rate applications (all modes) ....	\$250.
(85)	A railroad accounting interpretation .....	\$1,200.
(86)	(i) A request for an informal opinion not otherwise covered.....	\$1,600.
	(ii) A proposal to use on a voting trust agreement pursuant to 49 CFR 1013 and 49 CFR 1180.4(b)(4)(iv) in connection with a major control proceeding as defined at 49 CFR 1180.2(a) .....	\$5,500.
	(iii) A request for an informal opinion on a voting trust	

agreement pursuant to 49 CFR 1013.3(a) not otherwise covered.....	\$550.
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(87) Arbitration of Certain Disputes Subject to the Statutory Jurisdiction of the Surface Transportation Board under 49 CFR 1108:	
(i) Complaint.....	\$75.
(ii) Answer (per defendant), Unless Declining to Submit to Any Arbitration.....	\$75.
(iii) Third Party Complaint .....	\$75.
(iv) Third Party Answer (per defendant), Unless Declining to Submit to Any Arbitration .....	\$75.
(v) Appeals of Arbitration Decisions or Petitions to Modify or Vacate an Arbitration Award.....	\$150.
(88) Basic fee for STB adjudicatory services not otherwise covered.....	\$250.
(89)-(95) [Reserved]	

<b>PART VII: Services:</b>	
(96) Messenger delivery of decision to a railroad carrier’s Washington, DC, agent.....	\$34 per delivery.
(97) Request for service or pleading list for proceedings.....	\$26 per list.
(98) Processing the paperwork related to a request for the Carload Waybill Sample to be used in a Board or State proceeding that:	
(i) Does not require a Federal Register notice:	
(a) Set cost portion .....	\$150.
(b) Sliding cost portion .....	\$50 per party.
(ii) Does require a Federal Register notice:	

(a) Set cost portion.....	\$400.
(b) Sliding cost portion .....	\$50 per party.
(99) (i) Application fee for the Surface Transportation Board's Practitioners' Exam.....	\$200.
(ii) Practitioners' Exam Information Package .....	\$25.
(100) Carload Waybill Sample data:	
(i) Requests for Public Use File for all years prior to the most current year Carload Waybill Sample data available, provided on CD-R .....	\$250 per year.
(ii) Specialized programming for Carload Waybill requests to the Board.....	\$112 per hour.

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<b>APPENDIX C</b>				
<b>Fee Item</b>	<b>Description</b>	<b>2013 Fee (Sub-No. 21)</b>	<b>2012 Fee (Sub-No. 20)</b>	<b>Difference</b>
(1)	Pooling/Division Traf. Non-Rail	\$4,700	\$4,500	\$200
(2i)	Appl. Purch. Lease of MC Passen.	\$2,100	\$2,100	\$0
(2ii)	PFE-Not Otherwise Cover. N-Rail	\$3,400	\$3,300	\$100
(2iii)	Pet. To Revoke-Filing from (2ii)	\$2,800	\$2,700	\$100
(3)	Appl. N-Rail Rate Assoc. Agree	\$29,600	\$28,400	\$1,200
(4i)	Appl. Amend. Agree. - Significant	\$4,900	\$4,700	\$200
(4ii)	Appl. Amend. Agree. - Minor	\$100	\$100	\$0
(5)	Temp. Author. of MC Passenger	\$500	\$500	\$0
(6)	Notice of Exempt. - MC Pass. Corp.	\$1,800	\$1,700	\$100
(11i)	Appl.-Extension, Acquis. or Opr.	\$7,800	\$7,400	\$400
(11ii)	NOE - Extension, Acquis. or Opr.	\$1,900	\$1,800	\$100
(11iii)	PFE - Extension, Acquis. or Opr.	\$13,400	\$12,900	\$500
(12i)	Appl. Construct New Rail Line	\$80,000	\$76,700	\$3,300
(12ii)	NOE - Construct New Rail Line	\$1,900	\$1,800	\$100
(12iii)	PFE - Construct New Rail Line	\$80,000	\$76,700	\$3,300
(12iv)	Rail Construct Cross Carrier	\$250	\$250	\$0
(13)	Feeder Line Development Appl.	\$2,600	\$2,600	\$0
(14i)	Appl. CL II or III Acquire Rail Ln.	\$6,600	\$6,300	\$300
(14ii)	NOE - CL II or III Acquire Rail Ln	\$1,900	\$1,800	\$100
(14iii)	PFE - CL II or III Acquire Rail Ln.	\$7,100	\$6,800	\$300
(15)	Notice of Modified Certificate	\$1,800	\$1,700	\$100
(16)	Land-Use-Exemption-Facility	\$6,400	\$6,200	\$200
(17)	Land-Use-Exemp.-New Facility	\$22,700	\$21,700	\$1,000
(21i)	Appl. to Abandon or Discontinue	\$23,700	\$22,800	\$900
(21ii)	NOE - Abandon or Discontinue	\$3,900	\$3,700	\$200
(21iii)	PFE - Abandon or Discontinue	\$6,700	\$6,500	\$200
(22)	Appl. Abandon Line of CR	\$500	\$450	\$50
(23)	Abandonment Filed Bankrupt RR	\$2,000	\$1,900	\$100
(24)	Waiver Request - Abandon Appl.	\$1,900	\$1,800	\$100
(25)	Offer Financial Assistance (OFA)	\$1,600	\$1,600	\$0
(26)	OFA - Set Terms and Conditions	\$24,300	\$23,300	\$1,000
(27i)	Request for Trail Use Condition	\$250	\$250	\$0
(27ii)	Request to Extend Negotiate Trail	\$450	\$450	\$0
(36)	Appl. Use of Terminal Facilities	\$20,300	\$19,400	\$900

<b>APPENDIX C</b>				
<b>Fee Item</b>	<b>Description</b>	<b>2013 Fee (Sub-No. 21)</b>	<b>2012 Fee (Sub-No. 20)</b>	<b>Difference</b>
(37)	Appl. Pooling/Division Traf. - Rail	\$10,900	\$10,500	\$400
(38i)	Appl. Consolidation/Merger - Maj	\$1,599,600	\$1,533,500	\$66,100
(38ii)	Appl. Consolid./Merger-Signif.	\$319,900	\$306,700	\$13,200
(38iii)	Appl. Consolidation/Merger - Min	\$7,900	\$7,600	\$300
(38iv)	NOE - Consolidation/Merger	\$1,800	\$1,700	\$100
(38v)	Consolid./Merger - Responsive	\$7,900	\$7,600	\$300
(38vi)	PFE - Consolidation/Merger	\$10,000	\$9,600	\$400
(38vii)	Request for Waiver/Clarification	\$5,900	\$5,600	\$300
(39i)	Appl. Non-Carrier Acq. - Major	\$1,599,600	\$1,533,500	\$66,100
(39ii)	Appl. Non-Carrier Acq. - Signif.	\$319,900	\$306,700	\$13,200
(39iii)	Appl. Non-Carrier Acq. - Minor	\$7,900	\$7,600	\$300
(39iv)	NOE - Non-Carrier Acquire	\$1,400	\$1,300	\$100
(39v)	Non-Carrier Acquire - Responsive	\$7,900	\$7,600	\$300
(39vi)	PFE - Non-Carrier Acquire	\$10,000	\$9,600	\$400
(39vii)	Request for Waiver/Clarification	\$5,900	\$5,600	\$300
(40i)	Appl. Trackage Rights - Major	\$1,599,600	\$1,533,500	\$66,100
(40ii)	Appl. Trackage Rights-Significant	\$319,900	\$306,700	\$13,200
(40iii)	Appl. Trackage Rights - Minor	\$7,900	\$7,600	\$300
(40iv)	NOE - Trackage Rights	\$1,200	\$1,200	\$0
(40v)	Trackage Rights-Responsive Appl.	\$7,900	\$7,600	\$300
(40vi)	PFE - Trackage Rights	\$10,000	\$9,600	\$400
(40vii)	Request for Waiver/Clarification	\$5,900	\$5,600	\$300
(41i)	Appl. Purch., Lease, Oper.- Major	\$1,599,600	\$1,533,500	\$66,100
(41ii)	Appl. Purch., Lease, Oper.- Signif	\$319,900	\$306,700	\$13,200
(41iii)	Appl. Purch., Lease, Oper. - Minor	\$7,900	\$7,600	\$300
(41iv)	NOE - Purchase, Lease, Operate	\$1,400	\$1,400	\$0
(41v)	Purch., Lease, Oper.-Responsive	\$7,900	\$7,600	\$300
(41vi)	PFE - Purchase, Lease, Operate	\$7,100	\$6,800	\$300
(41vii)	Request for Waiver/Clarification	\$5,900	\$5,600	\$300
(42)	Notice of Joint Project Relocation	\$2,500	\$2,400	\$100
(43)	Appl. Approval Rate Assoc. Agree	\$74,900	\$71,800	\$3,100
(44i)	Amend to Rate Agree-Significant	\$13,800	\$13,300	\$500
(44ii)	Amend to Rate Assoc. Agree-Min	\$100	\$100	\$0
(45)	Appl. Author. Officer/Director	\$850	\$800	\$50

<b>APPENDIX C</b>				
<b>Fee Item</b>	<b>Description</b>	<b>2013 Fee (Sub-No. 21)</b>	<b>2012 Fee (Sub-No. 20)</b>	<b>Difference</b>
(46)	PFE-Filed Rail-Not Other. Cover.	\$8,500	\$8,200	\$300
(47)	Amtrak Conveyance Proceeding	\$250	\$250	\$0
(48)	Amtrak Compensation Proceed.	\$250	\$250	\$0
(56i)	Formal Compl.-Coal Rate Guide	\$350	\$350	\$0
(56ii)	Formal Compl.-Simplified-SAC	\$350	\$350	\$0
(56iii)	Formal Compl.-Three Benchmark	\$150	\$150	\$0
(56iv)	Formal Complaint - All Others	\$350	\$350	\$0
(56v)	Competitive Access Complaint	\$150	\$150	\$0
(56vi)	Request to Establish CC Rate	\$250	\$250	\$0
(57)	Request for an Investigation	\$9,500	\$9,100	\$400
(58i)	Petition Declaratory-Exist Rate	\$1,000	\$1,000	\$0
(58ii)	Pet.Declar.-All Other Petition	\$1,400	\$1,400	\$0
(59)	Appl. Shipper Antitrust Immunity	\$7,500	\$7,200	\$300
(60)	Labor Arbitration Proceedings	\$250	\$250	\$0
(61i)	Appeal/Merits & Pet. Revoke Ex.	\$250	\$250	\$0
(61ii)	Appeal STB Decision-Procedural	\$400	\$350	\$50
(62)	Mtr. Carrier Undercharge Cases	\$250	\$250	\$0
(63i)	Service Emergency-Part 1146	\$250	\$250	\$0
(63ii)	Service Emergency-Part 1147	\$250	\$250	\$0
(64)	Req. Waiver/Clarif. O/T Aban/Fin	\$600	\$600	\$0
(76)	Release Value Rates for MC&HG	\$1,300	\$1,200	\$100
(77)	Short Notice of Tariff Publishing	\$100	\$100	\$0
(78)	Filing of Tariffs, Incl. Supplements	\$26	\$25	\$1
(79i)	Spec. Dk (RR&Water)< \$25,000	\$75	\$75	\$0
(79ii)	Spec. Dk (RR&Water)> \$25,000	\$150	\$150	\$0
(80)	Inform. Complaint RR Rate Appl.	\$650	\$600	\$50
(81i)	Tariff Recon. MC - <\$25,000	\$75	\$75	\$0
(81ii)	Tariff Recon. MC - >\$25,000	\$150	\$150	\$0
(82)	Request Reasonable. MC Rates	\$250	\$250	\$0
(83)	Documents for Recordation	\$44	\$42	\$2
(84)	Informal Opinions Rate Appl.	\$250	\$250	\$0
(85)	Railroad Accounting Interpretation	\$1,200	\$1,100	\$100
(86i)	A Request Informal Opinion-NOC	\$1,600	\$1,500	\$100
(86ii)	Voting Trust Agree. Major Cont.	\$5,500	\$5,200	\$300

<b>APPENDIX C</b>				
<b>Fee Item</b>	<b>Description</b>	<b>2013 Fee (Sub-No. 21)</b>	<b>2012 Fee (Sub-No. 20)</b>	<b>Difference</b>
(86iii)	Informal Opin.-Voting Trust-NOC	\$550	\$500	\$50
(87i)	Arbitration Disputes-Comp	\$75	\$75	\$0
(87ii)	Answer (Per Defendant)	\$75	\$75	\$0
(87iii)	Third Party Complaint	\$75	\$75	\$0
(87iv)	Third Party Answer(Per Defendant)	\$75	\$75	\$0
(87v)	Appeals of Arbitration Decision	\$150	\$150	\$0
(88)	Basic for Adjudicatory Services	\$250	\$250	\$0
(96)	Messenger Delivery - Railroad DC	\$34	\$33	\$1
(97)	Request Service/Pleadings List	\$26	\$25	\$1
(98i)(a)	Carload Way.Req.-No FR Set Cost	\$150	\$150	\$0
(98i)(b)	No FR Sliding Portion	\$50	\$48	\$2
(98ii)(a)	Carload Way.Req.-FR Set Cost	\$400	\$400	\$0
(98ii)(b)	FR Required Sliding Portion	\$50	\$48	\$2
(99i)	Application STB Practitioners' Exam	\$200	\$150	\$50
(99ii)	Practitioners Exam Package	\$25	\$25	\$0
(100i)	Carld. Waybill-(CD-R)-per yr.-Prior	\$250	\$250	\$0
(101ii)	Special Programming-Waybill	\$112	\$112	\$0
1002.1a	Certificate of the Secretary	\$18	\$17	\$1
1002.1b	Exam Tariffs for Certification	\$41	\$41	\$0
1002.1c	Checking Records Authenticity	\$28	\$28	\$0
1002.1d	Electrostatic Copies Tariffs, Recon.	\$1.40	\$1.40	\$0
1002.1e	Pro Staff Time for ADP Data Req.	\$71	\$71	\$0
No Item	Courier Service Cost – Elsewhere		NA	\$0