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SERVICE DATE – FEBRUARY 15, 2011

SURFACE TRANSPORTATION BOARD

DECISION

Docket No. EP 704

REVIEW OF COMMODITY, BOXCAR, AND TOFC/COFC EXEMPTIONS

Decided: February 15, 2011

The Surface Transportation Board will hold a hearing on Thursday, February 24, 2011, to allow interested parties to comment on the issues in this proceeding. The hearing will take place at 9:30 a.m. in the Board's hearing room at the Board's headquarters located at 395 E Street, S.W., Washington, DC.

The Board announced the hearing by a decision served on November 19, 2010,¹ and the Board established January 31, 2011, as the deadline for persons wishing to speak at the hearing to advise the Board of their intent to participate, request a time allotment, and submit their written testimony.² 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.

If a party wishes to enhance its presentation by using visual displays and/or handouts of material from the record, it may do so. Parties may copy computer presentations to a Board-supplied laptop for viewing on the hearing room's television screens. Staff will be available to demonstrate the hearing room's screen system and to assist in the copying of visual presentations onto the hearing room laptop computer on February 23, from 2 p.m. to 4 p.m. Please call (202) 245-0424 to make arrangements. The Board requests that participants provide to Board staff at the hearing 9 hard copies, on 8 1/2 by 11 inch paper, of any visual display materials presented at the hearing.

¹ A notice served on October 21, 2010, and corrected by notice served on October 25, 2010, originally scheduled the hearing for December 9, 2010. The November 19 decision granted an extension of time and rescheduled the hearing.

² Written submissions by parties not wishing to appear at the hearing were also due on January 31, 2011.

Instructions for Attendance at Hearing

The STB requests that all persons attending the hearing use the Patriots Plaza Building's main entrance at 395 E Street, S.W. (closest to the northeast corner of the intersection of 4th and E Streets). There will be no reserved seating, except for those scheduled to present comments. The building will be open to the public at 7:00 a.m., and participants are encouraged to arrive early. There is no public parking in the building.

Upon arrival, check in at the 1st floor security desk in the main lobby. Be prepared to produce valid photographic identification (driver's license or local, state, or Federal government identification); sign-in at the security desk; receive a hearing room pass (to be displayed at all times); submit to an inspection of all briefcases, handbags, etc.; then pass through a metal detector. Persons choosing to exit the building during the course of the hearing must surrender their hearing room passes to security personnel and will be subject to the above security procedures if they choose to re-enter the building. Hearing room passes likewise will be collected from those exiting the hearing upon its conclusion.

Laptops and recorders may be used in the hearing room, but no provision will be made for connecting personal computers to the Internet. Cellular telephone use is not permitted in the hearing room; cell phones may be used quietly in the corridor surrounding the hearing room, or in the building's main lobby.

The Board's hearing room complies with the Americans with Disabilities Act, and persons needing such accommodations should call (202) 245-0245, by the close of business on February 17.

For further information regarding the hearing, contact Julia Farr at (202) 245-0359. Assistance for the hearing impaired is available through the Federal Information Relay Service (FIRS) at (800) 877-8339.

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, Rachel D. Campbell, Director, Office of Proceedings.

APPENDIX
SCHEDULE OF APPEARANCES

<u>Party</u>	<u>Time Allotted</u>
Panel I: Federal Government	
U. S. Department of Transportation Peter Plocki	10 minutes
Panel II: Railroad Interests	
American Short Line & Regional Railroad Association Richard F. Timmons	10 minutes
Association of American Railroads Edward R. Hamberger Prof. Robert Willig	20 minutes
Panel III: Shipper Interests	
Alliance of Automobile Manufacturers Jeffrey O. Moreno	10 minutes
American Forest & Paper Association and The Paper and Forest Industry Transportation Committee Bill Lovick	10 minutes
Blue Line Community Coalition Dean Zulger	10 minutes
National Industrial Transportation League Bruce Carlton	10 minutes
Wisconsin Central Group John Duncan Varda	10 minutes
Panel IV: Freight Railroads	
BNSF Railway Company John P. Lanigan	10 minutes

CSX Transportation, Inc. 10 minutes
Clarence Gooden

Kansas City Southern 10 minutes
Patrick J. Ottensmeyer

Norfolk Southern Railway Company 10 minutes
David Lawson

Union Pacific Railroad Company 10 minutes
Eric Butler
Julie Krehbiel

Panel V: Shippers

Holcim (US) Inc. 10 minutes
Mike Eischer

Packaging Corporation of America 10 minutes
Dina Calabro
Bruce Ridley

Weaver Popcorn Company, Inc. 10 minutes
Will Weaver

Panel VI: Intermodal Interests

Intermodal Association of North America, Inc. 10 minutes
Joanne F. Casey

Panel VII: Other Interests

CNJ Rail Corporation 5 minutes
Eric Strohmeyer

Mercury Group 5 minutes
Craig S. Dickman

Ray Tylicki 5 minutes

United Transportation Union-New York State Legislative Board 5 minutes
Gordon MacDougall