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SERVICE DATE – JUNE 13, 2012

SURFACE TRANSPORTATION BOARD

DECISION

Docket No. EP 707

DEMURRAGE LIABILITY

Decided: June 13, 2012

This decision grants a motion filed by the International Warehouse Logistics Association (IWLA) to extend the schedule for filing comments in this proceeding.

By decision served on May 7, 2012, the Board issued a Notice of Proposed Rulemaking (NPR) in which it proposed a rule establishing that a person receiving rail cars from a rail carrier for loading or unloading who detains the cars beyond the “free time” provided in the carrier’s governing tariff will generally be responsible for paying demurrage, if that person has actual notice, prior to rail car placement, of the demurrage tariff establishing such liability. Comments on the NPR are due by June 25, 2012, and reply comments are due by July 23, 2012. On June 4, 2012, IWLA filed a motion requesting a 60-day extension of the schedule for filing comments. The Association of American Railroads filed a reply on June 6, 2012, stating that it does not object to the request. Under IWLA’s proposed extension, comments would be due by August 24, 2012, and reply comments would be due by September 21, 2012.

The extension request is reasonable and will be granted.

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

It is ordered:

1. IWLA’s motion to extend the schedule for filing comments is granted. Under the revised schedule, comments are due by August 24, 2012, and reply comments are due by September 21, 2012.

2. This decision is effective on its service date.

By the Board, Rachel D. Campbell, Director, Office of Proceedings.