

36320  
SEC

SERVICE DATE – OCTOBER 14, 2005

SURFACE TRANSPORTATION BOARD

DECISION

STB Ex Parte No. 658

THE 25TH ANNIVERSARY OF THE STAGGERS RAIL ACT OF 1980:  
A REVIEW AND LOOK AHEAD

Decided: October 13, 2005

The Board will hold a public hearing to provide a forum for the expression of views on the impact, effectiveness, and future of the Staggers Rail Act of 1980 on Wednesday, October 19, 2005, in the 7th floor hearing room at the Board's headquarters in the Mercury Building, 1925 K Street, N.W., Washington, D.C. The hearing will consist of a morning session beginning at 9:00 a.m., and an afternoon session beginning at 1:00 p.m.

The Board announced the hearing by notice served on September 14, 2005, and established due dates for persons wishing to speak at the hearing to advise the Board of their intent to participate and request a time allotment, and for submission of written testimony. 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. The Board will have read the written submissions in advance of the hearing. Witnesses should not read their written submissions at the hearing, but instead should briefly summarize their key points.

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 October 18, 2005, from 2 p.m. to 4 p.m. Please call (202) 565-1664 to make arrangements.

Instructions for Attendance at Hearing

The Board requests that all persons attending the hearing use the Mercury Building's main entrance at 1925 K Street (on the northeast corner of the intersection of 20th and K Streets). There will be no reserved seating. Please plan to arrive early enough to be seated no later than 8:45 a.m. for the morning session, and no later than 12:45 p.m. for the afternoon session. For security reasons, all persons should be prepared to produce photo identification (such as a

driver's license), pass through a metal detector, and submit to an inspection of all briefcases, handbags, and any other bags. Visitors must be cleared through security in the Board's Suite 100 (on the 1st Floor, at the top of the ramp to the left of the main lobby) prior to being escorted to the hearing room.

Quiet laptops and tape recorders may be brought into the hearing room, but absolutely 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 only be used outside the hearing room.

The Board's hearing room complies with the Americans With Disabilities Act, and persons needing such accommodations should contact Beverly Ledbetter in the Board's Office of Proceedings at (202) 565-1664, by the close of business on October 17, 2005.

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, Vernon A. Williams, Secretary.

Vernon A. Williams  
Secretary

**APPENDIX  
SCHEDULE OF APPEARANCES**

**October 19, 2005 Morning Session: 9:00 a.m.**

<b><u>Party</u></b>	<b><u>Time Allotted</u></b>
<b><u>Panel I: Government Entities</u></b>	
U.S. Department of Transportation Paul Samuel Smith	5 minutes
<b><u>Panel II-A: Shippers</u></b>	
The National Industrial Transportation League Curt Warfel, John Ficker	10 minutes
American Chemistry Council Charles W. Van Vlack	5 minutes
National Grain and Feed Association Kendell Keith	10 minutes
Transportation, Elevator, and Grain Merchants Association Chuck Elsea	5 minutes
United Parcel Service Tom Jensen	5 minutes
Graniterock Dan Slavin	5 minutes
<b><u>Panel II-B: Shippers</u></b>	
Edison Electric Institute Michael F. McBride, Charles Linderman	10 minutes
Western Coal Traffic League Duane L. Richards, Thomas D. Crowley	10 minutes
Concerned Captive Coal Shippers C. Michael Loftus	5 minutes

National Rural Electric Cooperative Association  
Glenn English 5 minutes

Arkansas Electric Cooperative Corporation  
Michael A. Nelson 5 minutes

**Panel III: Labor**

United Transportation Union  
James Brunkenhoefer, James Stem, Daniel R. Elliott, III 10 minutes

Transportation Communications International Union  
Mitchell M. Kraus 10 minutes

**Panel IV: Financial Analysts**

Merrill Lynch  
Ken Hoexter 5 minutes

J.P. Morgan Securities, Inc.  
Thomas Wadewitz 5 minutes

Morgan Stanley  
James Valentine 5 minutes

**October 19, 2005 Afternoon Session: 1:00 p.m.**

**Panel V-A: Larger Railroads**

CSX Transportation, Inc.  
Les Passa 10 minutes

BNSF Railway Company  
John P. Lanigan 10 minutes

Union Pacific Railroad Company  
James R. Young 10 minutes

Norfolk Southern Railway Company  
Stephen C. Tobias 10 minutes

The Kansas City Southern Railway Company  
Ronald G. Russ 10 minutes

Canadian Pacific Railway Company  
Michael Waites 10 minutes

Canadian National Railway Company  
Gordon T. Trafton 10 minutes

**Panel V-B: Smaller Railroads and Related Interests**

Wheeling & Lake Erie Railway Company  
Larry R. Parsons 5 minutes

Columbus & Greenville Railroad  
Roger D. Bell 5 minutes

Genesee & Wyoming, Inc.  
Charles Marshall 5 minutes

Rail Industry Working Group  
J. Reilly McCarren 5 minutes

RailAmerica, Inc.  
Charles Swinburn 5 minutes

**Panel VI: Other Interested Parties**

Snavely King Majoros O'Connor & Lee, Inc.  
Thomas O'Connor 5 minutes

HIGHROAD Consulting, Ltd.  
Sandra J. Dearden 5 minutes

University of Maryland, Smith School of Business  
Curtis M. Grimm 5 minutes

Northwest Container Services  
Art Scheunemann 5 minutes

Strategic Rail Finance  
Michael Sussman 5 minutes

Paul A. London 5 minutes